

BEFORE THE  
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:

MIHAIL GOCIMAN,

VS .

NORTHERN ILLINOIS GAS COMPANY, d/b/a

NICOR GAS COMPANY,

Complaint as to billing/charges in Skokie, Illinois.

Chicago, Illinois  
September 17, 2015

Met pursuant to notice at 11:00 a.m.

BEFORE :

SONJA TEAGUE-KINGSLEY, Administrative Law Judge.

APPEARANCES :

MR. MIHAIL GOCIMAN  
5120 Chase Avenue  
Skokie, Illinois 60077  
Appearing pro se;

MR. PAUL PADRON  
400 South County Farm Road, Suite 200  
Wheaton, Illinois 60187  
Appearing on behalf of the Respondent.

SULLIVAN REPORTING COMPANY, by  
Tracy L. Overocker, CSR

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I N D E X

<u>Witnesses:</u>	<u>Nar.</u>	<u>Dir.</u>	<u>Cx</u>	Re- <u>Dir.</u>	By <u>Examr.</u>
Mihail Gociman	19		65		
Magdalena Gociman			85		76
Elliott Ingram		87,107	113		105
Tina Marquez-Smith		123	155	160	153
Kyra Mitchell		162			179

1                                    E X H I B I T S

2

3	<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
4	Complainant's		
5	Group No. 1	8	60
6	Respondent's		
7	No. 1	8	
8	Respondent's		
9	No. 2	8	94
10	Respondent's		
11	No. 3	8	105
12	Respondent's		
13	No. 4	8	123
14	Respondent's		
15	No. 5	8	127
16	Respondent's		
17	No. 6	8	
18	Respondent's		
19	No. 7	8	
20	Respondent's		
21	No. 8	8	161
22	Respondent's		
	No. 9	8	164
	Respondent's		
	No. 10	8	166
	Respondent's		
	No. 11	8	172

22

1 (Whereupon, Respondent's  
2 Exhibit Nos. 1 through 11 were  
3 marked for identification.)

4 (Whereupon, Complainant's  
5 Group Exhibit No. 1 was  
6 marked for identification.)

7 JUDGE TEAGUE-KINGSLEY: Pursuant direction of  
8 the Illinois Commerce Commission, I now call Docket  
9 No. 15-0097. Mihail Gociman versus Northern Illinois  
10 Gas Company, doing business as Nicor Gas Company.

11 This matter concerns a complaint as to  
12 billing, slash, charges in Skokie, Illinois.

13 Will the parties please identify  
14 yourselves for the record. Include your name,  
15 address and telephone number.

16 MR. MIHAIL GOCIMAN: Mihail Gociman, 5120 Chase  
17 Avenue, Skokie, Illinois 60077. The phone number is  
18 (847) 673-3680.

19 MR. PADRON: Paul Padron, P-a-d-r-o-n, on  
20 behalf of Nicor, Respondent. My address is 400 South  
21 County Farm Road, Suite 200, Wheaton, Illinois 60187.  
22 My direct phone number is (630) 344-6529.

1           JUDGE TEAGUE-KINGSLEY: Thank you both. Let  
2   the record reflect there are no other appearances.

3           As you know, today is the evidentiary  
4   hearing of what most people call the trial and I want  
5   to explain a little bit for your benefit, so you  
6   understand the process what's going on.

7           So you'll have an opportunity to  
8   present your case in chief. You'll be able to  
9   testify on your behalf or other have any witness who  
10   can testify based on their own personal knowledge  
11   about the matters involved in this case. You can  
12   present any documents that you'd like that you think  
13   will support your case.

14          And then Counsel for Nicor will have  
15   an opportunity to cross-examine you, meaning, ask you  
16   questions and then you will have an oppor- -- then  
17   they will have an opportunity to present their case  
18   by presenting their witnesses and then they can  
19   provide documents as well. You can ask them  
20   questions in terms of cross-examination, but you  
21   cannot ask the attorney questions. The questions  
22   have to be supposed to the witness.

1                   And then after we finish with the  
2   trial today, I will prepare a proposed recommendation  
3   or a proposed order and I will issue that out or serve  
4   it on the parties and then each party would have an  
5   opportunity to file exceptions, brief on exceptions  
6   and then replies.

7                   I will consider those exceptions and  
8   then prepare a final recommended order and then that  
9   will be put on the Commission's agenda and the  
10   Commission will review it and then they make the  
11   ultimate decision regarding the opinion. Okay? I  
12   just wanted to make sure I explained that for you.

13                  So before we proceed with your case in  
14   chief, I'd just like each party to present a really,  
15   really brief opening statement. For example, you  
16   could say, you know, I think I've been overcharged,  
17   you know, and I would like the Commission to do X, Y  
18   and Z about it and then we'll go into more detail  
19   later.

20                  You could start first, Mr. Gociman.

21                  MR. MIHAIL GOCIMAN: Okay. In my case, I have  
22   to stand up?

1 JUDGE TEAGUE-KINGSLEY: No, no, you stay  
2 seated.

3 MR. MIHAIL GOCIMAN: He stood up at the  
4 beginning and I thought I was doing something wrong.

5 JUDGE TEAGUE-KINGSLEY: No, no, you're doing  
6 great. You're doing great. Stay seated.

7 MR. MIHAIL GOCIMAN: So, basically, everything  
8 started with a terrible rain that was last year in  
9 the middle of July, beginning of August, so the whole  
10 street was flooded when I'm leaving and so on and the  
11 inspector -- yeah, an inspector from the Village came  
12 out to house, out to house, you know, to check the  
13 situation, what was flooded --

14 JUDGE TEAGUE KINGSLEY: I don't mean to cut you  
15 off --

16 MR. MIHAIL GOCIMAN: But I'm getting to the  
17 point.

18 JUDGE TEAGUE-KINGSLEY: No, I'm going to give  
19 you time to testify, but I just wanted you to give me  
20 a real general statement like --

21 MR. MIHAIL GOCIMAN: Sure. I hire somebody to  
22 install a flood system. That company recommended by

1 the Village, licensed, permit, everything done. They  
2 started to dig. They see a pipe that was from ComEd.  
3 They call ComEd -- Nicor. Nicor wanted the owner to  
4 confirm that that company is on my land --

5 JUDGE TEAGUE KINGSLEY: Right.

6 MR. MIHAIL GOCIMAN: -- which I call them on  
7 the phone.

8 JUDGE TEAGUE KINGSLEY: Okay.

9 MR. MIHAIL GOCIMAN: A technician was  
10 dispatched. I was inside the house. I didn't care  
11 about going outside. I heard the commotion outside.  
12 There was a fight between the contractor and Nicor.  
13 Done.

14 JUDGE TEAGUE-KINGSLEY: You know what --

15 MR. MIHAIL GOCIMAN: That's what it is.

16 JUDGE TEAGUE-KINGSLEY: Okay.

17 MR. MIHAIL GOCIMAN: And, basically, from this  
18 one, from --

19 JUDGE TEAGUE-KINGSLEY: I don't want to have  
20 you repeat it all over again because I have to swear  
21 you in. I just wanted you to make a brief statement  
22 like you think you've been charged --



1           MR. MIHAIL GOCIMAN: I was charged -- I was  
2 charged for two things that I consider. I am not --  
3 I don't have problem --

4           JUDGE TEAGUE-KINGSLEY: You don't think should  
5 have to pay --

6           MR. MIHAIL GOCIMAN: Pay for.

7           JUDGE TEAGUE-KINGSLEY: Okay. And you'd like  
8 the Commission to --

9           MR. MIHAIL GOCIMAN: The point is that -- this  
10 one, all these charges were applied after the work  
11 took place after everything was done --

12          JUDGE TEAGUE-KINGSLEY: Okay. And --

13          MR. MIHAIL GOCIMAN: -- and nothing was done up  
14 front.

15          JUDGE TEAGUE-KINGSLEY: Okay. And you would  
16 like the Commission to determine --

17          MR. MIHAIL GOCIMAN: Exactly. It was  
18 appropriate or not and I'll present the case.

19          JUDGE TEAGUE-KINGSLEY: Okay. Perfect. Good.

20                       Mr. Padron?

21          MR. PADRON: The work that was done at the  
22 Gocimans' residence was work that was not necessary

1     for Nicor, that was at the customer's request and  
2     benefit, and pursuant to the tariff, No. 35, the  
3     customer is responsible for the costs incurred and  
4     the work that was done.

5             JUDGE TEAGUE-KINGSLEY:    Okay.

6             MR. PADRON:    So we would like the ICC to uphold  
7     the outstanding bill.

8             JUDGE TEAGUE-KINGSLEY:    Okay.   Thank you very  
9     much.

10            Okay.   Then Mr. Gociman, let's start  
11   with you first.   I'd like to swear you in.   If you  
12   could raise your right hand.

13                   (Witness sworn.)

14            JUDGE TEAGUE-KINGSLEY:    Now you can explain to  
15   me in detail about your complaint.

16                   MIHAIL GOCIMAN,  
17   called as a witness herein, having been first duly  
18   sworn, testified in the narrative as follows:

19                           NARRATIVE EXAMINATION

20            MR. MIHAIL GOCIMAN:    Detail or short?

21            JUDGE TEAGUE-KINGSLEY:    How, you know just --

22            MR. MIHAIL GOCIMAN:    Okay.   A reasonable time.

1 JUDGE TEAGUE-KINGSLEY: I don't want you to go  
2 on and on.

3 MR. MIHAIL GOCIMAN: A reasonable time?

4 JUDGE TEAGUE-KINGSLEY: Yeah. Just give me  
5 details of --

6 MR. MIHAIL GOCIMAN: Exactly. What it is and  
7 the main points.

8 Again, flood, inspector from the  
9 Village is coming --

10 JUDGE TEAGUE-KINGSLEY: No. Give me dates --

11 MR. MIHAIL GOCIMAN: Okay. So basically --

12 JUDGE TEAGUE-KINGSLEY: -- as detailed as you  
13 were initially.

14 MR. MIHAIL GOCIMAN: -- end of July, beginning  
15 of August, something like that, a terrible rain, the  
16 street that I'm living on, you know, sometime it's  
17 getting flooded --

18 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

19 MR. MIHAIL GOCIMAN: -- so I got water in my  
20 basement. I got water -- I don't want to describe  
21 the quality of water, is sewer water.

22 JUDGE TEAGUE-KINGSLEY: Oh, okay.

1           MR. MIHAIL GOCIMAN:  Unpleasant and the  
2   following day -- because this happened during the  
3   night, the following day, the inspector knocked on  
4   the doors of all the neighbors and said, You know,  
5   it's obviously (sic) what happened with you and I'm  
6   recommending everybody on the street to have this  
7   flood controlled because it's an issue with the sewer  
8   line on the whole street.

9           JUDGE TEAGUE-KINGSLEY:  The Village inspector?

10          MR. MIHAIL GOCIMAN:  The Village inspector.  
11   The Village inspector of Skokie.

12          JUDGE TEAGUE-KINGSLEY:  Okay.

13          MR. MIHAIL GOCIMAN:  So he handed me a list  
14   of --

15          MS. MAGDALENA GOCIMAN:  Contractors.

16          MR. MIHAIL GOCIMAN:  -- contractors that the  
17   Village doesn't support, but kind of recommend, if I  
18   may say.

19          JUDGE TEAGUE-KINGSLEY:  Uh-huh.

20          MR. MIHAIL GOCIMAN:  And the top of the list --  
21   of this list was a company named Edgar Plumbing --  
22   Edgar Sewell Plumbing.

1 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

2 MR. MIHAIL GOCIMAN: This is on the top of the  
3 list of 15 other companies the way that I have it  
4 here. Obviously, you are the regular citizen, you  
5 know, you choose this one, The Village knows about.

6 I hire -- I got in touch with this  
7 company, Edgar Sewell. I hired them on the 15th, if  
8 I remember -- well, let me see here, I have a date  
9 somewhere here, July 8th. So that's --

10 MS. MAGDALENA GOCIMAN: July 17th.

11 MR. MIHAIL GOCIMAN: 17th. On July 17th, I  
12 hired them to do the work.

13 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

14 MR. MIHAIL GOCIMAN: And they were -- they  
15 obtained the permit from the Village. Everything was  
16 according to whatever rules --

17 MS. MAGDALENA GOCIMAN: The company.

18 JUDGE TEAGUE-KINGSLEY: You know what, I have  
19 to have just Mr. Gociman testify. If you'd like to  
20 testify later, you have personal knowledge, I can  
21 have you do that after Mr. Gociman.

22 MS. MAGDALENA GOCIMAN: Okay. Thank you.

1           MR. MIHAIL GOCIMAN:   And --

2           MS. MAGDALENA GOCIMAN:   I'm sorry to interrupt.

3   I fill out a lot of papers that's why I'm aware --

4           JUDGE TEAGUE-KINGSLEY:   Yeah, no, that's okay,

5   and you're more than welcome --

6           MS. MAGDALENA GOCIMAN:   Okay.

7           JUDGE TEAGUE-KINGSLEY:   -- to testify after

8   him.

9           MR. MIHAIL GOCIMAN:   So, basically, they

10   started to work on August -- in -- July the 30th they

11   started to work.

12          JUDGE TEAGUE-KINGSLEY:   Mm-hmm.

13          MR. MIHAIL GOCIMAN:   And personally, I pay -- I

14   don't care, when I'm hiring somebody I'm not there to

15   supervise what they are doing, how they are doing and

16   what they are doing --

17          JUDGE TEAGUE-KINGSLEY:   Mm-hmm.

18          MR. MIHAIL GOCIMAN:   So they come in the

19   morning, they started to dig --

20          JUDGE TEAGUE-KINGSLEY:   Mm-hmm.

21          MR. MIHAIL GOCIMAN:   Suddenly Edgar -- this

22   gentleman, Edgar is coming knocking on my door

1     saying, You know, Mr. Gociman, you have to call  
2     Nicor? Why? It's a pipe. Because the place was  
3     before marked by JULIE, everything was clear, Sewell  
4     use a camera to see the track of the sewer line, that  
5     means everything was clear. He said, I can do it,  
6     fine. He did it. He found this pipe. We have you  
7     have one of the exhibits presented by me or Nicor,  
8     you can see very clearly this pipe that is there. In  
9     the middle of the hole that he dig, that's fine.  
10    It's --

11           JUDGE TEAGUE-KINGSLEY: Oh, okay. I think I  
12    see it in the packet of your group exhibit --

13           MR. PADRON: Yes.

14           JUDGE TEAGUE-KINGSLEY: -- here. Is that this?

15           MR. MIHAIL GOCIMAN: It's about that -- you  
16    know, basically, it's a small pipe here.

17           JUDGE TEAGUE-KINGSLEY: Okay.

18           MR. MIHAIL GOCIMAN: These are the support that  
19    they install. They hit that -- and go back, I call  
20    Nicor because I confirm, yes, I have a company --

21           JUDGE TEAGUE-KINGSLEY: Mm-hmm.

22           MR. MIHAIL GOCIMAN: -- installing a flood

1 control system on my front yard.

2 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

3 MR. MIHAIL GOCIMAN: And they see a pipe, a  
4 Nicor pipe and I think you have to be present here.

5 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

6 MR. MIHAIL GOCIMAN: (Noise made.) Done. I  
7 went inside the house and suddenly there was  
8 commotion.

9 JUDGE TEAGUE-KINGSLEY: Hmm. Mm-hmm.

10 MR. MIHAIL GOCIMAN: They have an excavator,  
11 you know, you can see in the picture and the driver  
12 of the excavator was arguing with somebody, a young  
13 gentleman.

14 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

15 MR. MIHAIL GOCIMAN: Screaming -- everybody was  
16 screaming. Everybody was doing -- screaming. So I  
17 came out and said, What's going on? He's from Nicor.

18 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

19 MR. MIHAIL GOCIMAN: Very important. Edgar  
20 Sewell told me, He's from Nicor. I have no idea that  
21 he was from Nicor or not? Why? Because he was  
22 showing no badge, no nothing. He had the clipboard



1     and he's screaming left and right.

2             JUDGE TEAGUE-KINGSLEY:   Mm-hmm.

3             MR. MIHAIL GOCIMAN:   Hello, hello, hello.

4             JUDGE TEAGUE-KINGSLEY:   Mm-hmm.

5             MR. MIHAIL GOCIMAN:   Look at me.   What do you

6     want?

7             JUDGE TEAGUE-KINGSLEY:   Mm-hmm.

8             MR. MIHAIL GOCIMAN:   I am the owner.   This is

9     what I want.   Can you talk to me?   What do you want?

10    They hit the pipe.   He's screaming about the pipe.   I

11    am not a technician or engineer -- I'm engineer by

12    trade, but not on this kind of stuff.

13             JUDGE TEAGUE-KINGSLEY:   Mm-hmm.

14             MR. MIHAIL GOCIMAN:   Something was wrong.   Take

15    care of them.   He want to argue.   Keep on arguing.   I

16    said, You know what, do me a favor, leave me property

17    and I'll call a supervisor to figure out the whole

18    story.

19             MS. MAGDALENA GOCIMAN:   In the meantime was the

20    police.

21             MR. MIHAIL GOCIMAN:   But by this was going back

22    and forth (noise made) --

1 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

2 MR. MIHAIL GOCIMAN: Two squad cars, Skokie  
3 police show up.

4 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

5 MR. MIHAIL GOCIMAN: What happened? The  
6 contractor called us. Okay. If the contractor  
7 called you -- I was talking to the police --

8 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

9 MR. MIHAIL GOCIMAN: -- do you need me?

10 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

11 MR. MIHAIL GOCIMAN: No. Thank you very much.  
12 The proof that the contractor called police, it's in  
13 the police file. The police didn't file a report --  
14 an actual report, a written report, a domestic  
15 disturbance or whatever, but it's at least on their  
16 daily report, I check with the police -- the Skokie  
17 police and it's listed there. The phone call to the  
18 police was made by a lady named Diane that I assume  
19 was somebody in the company.

20 JUDGE TEAGUE-KINGSLEY: Right.

21 MS. MAGDALENA GOCIMAN: Edgar.

22 MR. MIHAIL GOCIMAN: Edgar company. That was

1 all. A few minutes -- and I went inside and I  
2 called -- I want to talk to supervisor.

3 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

4 MR. MIHAIL GOCIMAN: I talk to supervisor. I  
5 need somebody to come here and allow the contractor  
6 to continue to work.

7 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

8 MR. MIHAIL GOCIMAN: In the paper they are  
9 providing me by the -- Nicor, they are showing  
10 reports that were written after everything else  
11 happened.

12 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

13 MR. MIHAIL GOCIMAN: That I was requesting that  
14 somebody to come to my place.

15 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

16 MR. MIHAIL GOCIMAN: And take care of the issue  
17 that was there, but right away because it's a day --  
18 a live or die situation and so on and I want to save  
19 money because they were charging me more and so --

20 JUDGE TEAGUE-KINGSLEY: All right.

21 MR. MIHAIL GOCIMAN: -- your Honor, I can  
22 provide you -- I don't know if you need a copy or not

1 of the contract -- nowhere does it say --

2 JUDGE TEAGUE-KINGSLEY: You have a copy of the  
3 contract?

4 MR. MIHAIL GOCIMAN: Yes. No where it's saying  
5 here that it's a timely meet to perform the work and  
6 if God will or people will, there will be a delay in  
7 work, I'll be charged the extra.

8 JUDGE TEAGUE-KINGSLEY: Oh, I'm sorry, that's  
9 the contract with your contractor?

10 MR. MIHAIL GOCIMAN: Yes. No --

11 JUDGE TEAGUE-KINGSLEY: Okay.

12 MR. MIHAIL GOCIMAN: That means if he hits a  
13 pipe, fine; he has to figure out with Nicor --

14 JUDGE TEAGUE-KINGSLEY: Right.

15 MR. MIHAIL GOCIMAN: -- even Nicor -- paper  
16 they was provided to me --

17 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

18 MR. MIHAIL GOCIMAN: -- is showing here that  
19 they have a conversation with the people from Sewell  
20 and they say, Why are you making so much fuss? Nicor  
21 making so much fuss? Because -- move the pipe  
22 because I'm seeing this one, I'm 30 years in business

1     and I have seen pipe like this. This was back and  
2     forth --

3             JUDGE TEAGUE-KINGSLEY: Mm-hmm.

4             MR. MIHAIL GOCIMAN: -- a manager show up.

5             JUDGE TEAGUE-KINGSLEY: Mm-hmm.

6             MR. MIHAIL GOCIMAN: And ask me, she talk with  
7     that technician I found out later on and I found out  
8     later on his name Elliott.

9             JUDGE TEAGUE-KINGSLEY: Mm-hmm. The technician  
10    that came to your property?

11            MR. MIHAIL GOCIMAN: Yes. It's Elliott. He  
12    practically went to his van and was there and Diane  
13    came and she was very nice lady, she was talking  
14    about everything about a dog, that I have a dog,  
15    about her dog and all kind of stuff, very nice. I'll  
16    take care of, Mr. Gociman, don't worry about.

17            JUDGE TEAGUE-KINGSLEY: Yeah.

18            MR. MIHAIL GOCIMAN: Can I see your gas line  
19    inside the house because you don't have the meter  
20    outside, yes, I don't have the meter outside?

21            JUDGE TEAGUE-KINGSLEY: Mm-hmm.

22            MR. MIHAIL GOCIMAN: We have take the meter

1 outside. Can I see the house? Yes, you can see the  
2 house.

3 She went inside. She saw that the  
4 meter was a very narrow closet, about 3 feet by 3  
5 feet, something like that. Can you enter the closet  
6 because you have to move the meter outside? Fine.  
7 I'll take it, give me half-hour and we'll move the  
8 meter outside. She --

9 JUDGE TEAGUE-KINGSLEY: I don't want to cut you  
10 off. I just want to make sure I understand. So  
11 after all this commotion, you called to speak with  
12 the manager. You told them you need someone to come  
13 out so you can finish this work because contractor.

14 MS. MAGDALENA GOCIMAN: No.

15 JUDGE TEAGUE-KINGSLEY: No?

16 MR. MIHAIL GOCIMAN: No, I didn't say to finish  
17 the work.

18 JUDGE TEAGUE-KINGSLEY: What is that?

19 MR. MIHAIL GOCIMAN: I said to care of the  
20 situation.

21 JUDGE TEAGUE-KINGSLEY: Take care of the  
22 situation --

1           MR. MIHAIL GOCIMAN:  It's very important --

2           JUDGE TEAGUE-KINGSLEY:  -- so that your

3           contractor can finish the work?

4           MR. MIHAIL GOCIMAN:  You know what, I didn't

5           care about the contractor.  To me, I care about,

6           there's a commotion on my first yard, I have the

7           police, I have all the neighbors out.

8           JUDGE TEAGUE-KINGSLEY:  Right.

9           MR. MIHAIL GOCIMAN:  To see what's going on for

10          what?  I'm responsible for the service?  No.

11          JUDGE TEAGUE-KINGSLEY:  Right, no, I just want

12          to confirm that you placed the phone call --

13          MR. MIHAIL GOCIMAN:  I placed the phone call

14          because it's a situation that require --

15          JUDGE TEAGUE-KINGSLEY:  Right, no, I just want

16          to know -- I just want to confirm what you said to

17          them, that you wanted Nicor to come out --

18          MR. MIHAIL GOCIMAN:  Exactly.

19          JUDGE TEAGUE-KINGSLEY:  -- to work on this --

20          MR. MIHAIL GOCIMAN:  I wanted the supervisor

21          basically to assess --

22          JUDGE TEAGUE-KINGSLEY:  -- pipe issue?

1           MR. MIHAIL GOCIMAN:  -- the situation to take,  
2   you know, executive decision what is needed to be  
3   done and come to the whole significance.

4           JUDGE TEAGUE-KINGSLEY:  And then a technician  
5   came out and she said that --

6           MR. MIHAIL GOCIMAN:  Supervisor.

7           JUDGE TEAGUE-KINGSLEY:  A supervisor, I'm  
8   sorry, came out and she requested to see your meter  
9   and --

10          MR. MIHAIL GOCIMAN:  Yeah.  She requested to  
11   see, you know, the gas line and the meter because --

12          JUDGE TEAGUE-KINGSLEY:  Yeah.

13          MR. MIHAIL GOCIMAN:  -- the meter was --  
14   obviously was not on site.

15          JUDGE TEAGUE-KINGSLEY:  Okay.  And then --

16          MS. MAGDALENA GOCIMAN:  Judge, can I say --

17          JUDGE TEAGUE-KINGSLEY:  I'll give you --

18          MS. MAGDALENA GOCIMAN:  -- because I was  
19   present.

20          JUDGE TEAGUE-KINGSLEY:  I think it would be  
21   better if I --

22          MS. MAGDALENA GOCIMAN:  Okay.



1           MR. MIHAIL GOCIMAN:   Okay.   So --

2           JUDGE TEAGUE-KINGSLEY:   -- testify after that.

3   I just want to clarify -- because I want details but

4   I think we're getting a little too many details, so I

5   kind of want to kind of get to the essence of the

6   problem.

7           MR. MIHAIL GOCIMAN:   The problem is --

8           JUDGE TEAGUE-KINGSLEY:   And so they requested

9   to --

10          MR. MIHAIL GOCIMAN:   -- she requested to see

11   the meter, okay?   She asked me -- the meter has to be

12   taken out.

13          JUDGE TEAGUE-KINGSLEY:   Uh-huh.

14          MR. MIHAIL GOCIMAN:   I said, Yeah, take them

15   out.

16          JUDGE TEAGUE-KINGSLEY:   Uh-huh.

17          MR. MIHAIL GOCIMAN:   Because a few years ago,

18   you guys send a flyer -- and I have to go inside to

19   find it because just -- you know, didn't keep it all

20   the time -- they sent a flyer -- and it's very

21   important what they're saying in that flyer --

22   because in that flyer -- that flyer is saying that

1     Nicor, for whatever reason, they will move out the  
2     meters inside the houses, they move out. Nicor is  
3     saying -- and you have that piece of document, you  
4     have in your files, it's by the very end. I think  
5     it's marked -- let me close this up --

6             JUDGE TEAGUE-KINGSLEY: Oh, you put it --  
7     attached to your complaint a flyer saying that they  
8     would move the meter out?

9             MR. MIHAIL GOCIMAN: Yes. It's very by the  
10    very end. It's a flyer I think it's marked F or  
11    something like that.

12            JUDGE TEAGUE-KINGSLEY: Okay. So --

13            MR. MIHAIL GOCIMAN: They're saying over there,  
14    this is not affecting my area, it's affecting another  
15    area but, you know, I have to pull it out  
16    three years, four years later.

17            JUDGE TEAGUE-KINGSLEY: Okay.

18            MR. MIHAIL GOCIMAN: So what I did, when I got  
19    that flyer -- and that flyer clearly -- was marked  
20    clearly on the back of the page that the move of the  
21    meter was not -- will not be on expense of the  
22    customer.

1 JUDGE TEAGUE-KINGSLEY: Can you -- I can't find  
2 that flyer.

3 MR. MIHAIL GOCIMAN: Let's take a break and  
4 find that flyer.

5 MR. PADRON: It's the fifth page.

6 JUDGE TEAGUE-KINGSLEY: The fifth page?

7 MR. MIHAIL GOCIMAN: Did you find it?

8 JUDGE TEAGUE-KINGSLEY: Thank you, Mr. Padron.

9 MR. PADRON: Fifth and sixth pages. If you  
10 include -- if you have the front page of the formal  
11 complaint as Page 1 --

12 JUDGE TEAGUE-KINGSLEY: Oh, okay.

13 MR. PADRON: -- then it's the fifth page.

14 MR. MIHAIL GOCIMAN: You know, you see on the  
15 back of the page.

16 JUDGE TEAGUE-KINGSLEY: Oh, okay. Is it the  
17 neighborhood thing in the neighborhood?

18 MR. PADRON: Yes.

19 MR. MIHAIL GOCIMAN: Yes that is --

20 JUDGE TEAGUE-KINGSLEY: Okay. So you've got  
21 this flyer --

22 MR. MIHAIL GOCIMAN: -- replacement of the main

1 gas will initially cause mild disruption to some of  
2 the streets in your town. The current system will  
3 continue --

4 JUDGE TEAGUE-KINGSLEY: You know what, the  
5 court reporter can't catch all that; but you're just  
6 directing me --

7 MR. MIHAIL GOCIMAN: Exactly. They're saying  
8 that there will be no charge for us.

9 JUDGE TEAGUE-KINGSLEY: Where do you see that?  
10 Can you just direct me to the paragraph?

11 MR. MIHAIL GOCIMAN: You know what, it's how  
12 you will benefit and --

13 JUDGE TEAGUE-KINGSLEY: Oh, okay.

14 MR. MIHAIL GOCIMAN: -- the last line is  
15 saying --

16 JUDGE TEAGUE-KINGSLEY: Okay.

17 MR. MIHAIL GOCIMAN: -- this comes to no cost  
18 to you.

19 JUDGE TEAGUE-KINGSLEY: Okay.

20 MR. MIHAIL GOCIMAN: It's highlighted.

21 JUDGE TEAGUE-KINGSLEY: I see that. Thank you.  
22 I see that. Okay. So you have this flyer, it says

1     this.  She came.  She wanted to move the meter  
2     outside and then what happened?

3             MR. MIHAIL GOCIMAN:  Regarding this?

4             JUDGE TEAGUE-KINGSLEY:  No, tell me what  
5     happened after that.

6             MR. MIHAIL GOCIMAN:  So after that, they move  
7     the meter.  They cut the line that you see in the  
8     picture --

9             JUDGE TEAGUE-KINGSLEY:  Uh-huh.

10            MR. MIHAIL GOCIMAN:  They install a temporary  
11    line to the new meter.

12            JUDGE TEAGUE-KINGSLEY:  Mm-hmm.

13            MR. MIHAIL GOCIMAN:  And the supervisor was  
14    gone and the people who installed the bypass, if I  
15    may say, for the new meter and my meter itself, two  
16    technicians they were left working.

17                    During all this commotion, a few  
18    hours --

19            JUDGE TEAGUE-KINGSLEY:  Mm-hmm.

20            MR. MIHAIL GOCIMAN:  -- nobody mentioned one  
21    word that Mr. Gociman, if anybody from Nicor was  
22    shown into your place --

1 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

2 MR. MIHAIL GOCIMAN: -- you would be charged.

3 JUDGE TEAGUE-KINGSLEY: Okay.

4 MR. MIHAIL GOCIMAN: If the line has to be  
5 moved left and right, you will be charged.

6 JUDGE TEAGUE-KINGSLEY: Okay. So you didn't  
7 have any discussions about this --

8 MR. MIHAIL GOCIMAN: Zero --

9 JUDGE TEAGUE-KINGSLEY: -- costing you  
10 anything --

11 MR. MIHAIL GOCIMAN: Nobody said --

12 JUDGE TEAGUE-KINGSLEY: -- you're saying.

13 MR. MIHAIL GOCIMAN: -- take the meter out --  
14 in fact, why they took the meter out if I didn't have  
15 the system to be installed -- the flood system  
16 installed, nobody -- nobody will tell me to take the  
17 meter out, you know, nobody came to my home.

18 JUDGE TEAGUE-KINGSLEY: Okay. So you didn't  
19 have any discussions and you --

20 MR. MIHAIL GOCIMAN: Nothing about --

21 JUDGE TEAGUE-KINGSLEY: -- were you  
22 presented --

1           MR. MIHAIL GOCIMAN:  -- price --

2           JUDGE TEAGUE-KINGSLEY:  -- contract or --

3           MR. MIHAIL GOCIMAN:  Exactly.

4           JUDGE TEAGUE-KINGSLEY:  -- anything like that?

5           MR. MIHAIL GOCIMAN:  Your Honor, nothing

6   referring to cost, time, manpower and everything else

7   that later on -- all the documents that Nicor

8   submitted through the lawyer -- their lawyer, it's

9   showing here a beautiful list and everything else --

10  but we'll get on that one later on.

11          JUDGE TEAGUE-KINGSLEY:  Well, what more did you

12  want to tell me before we get to that?

13          MR. MIHAIL GOCIMAN:  I want to tell you

14  something.  First of all, they originally -- they

15  issue a bill for \$4,500 roughly.

16          JUDGE TEAGUE-KINGSLEY:  Mm-hmm.  After this --

17          MR. MIHAIL GOCIMAN:  After this.  Because the

18  next day -- the next day -- the next day they have --

19  a crew came and installed a line that came from

20  across the street --

21          JUDGE TEAGUE-KINGSLEY:  Uh-huh.

22          MR. MIHAIL GOCIMAN:  -- to my house, okay?

1     What can I say? You can do whatever you want, it's  
2     your line, it doesn't cost me, nobody mentioned the  
3     cost, nobody mentioned dollar, that's fine with me.  
4             JUDGE TEAGUE-KINGSLEY: Okay.  
5             MR. MIHAIL GOCIMAN: Okay?  
6                     So when the regular bill came in, you  
7     know, almost a month later in September, I got hit  
8     with about 4,563, something like that.  
9             JUDGE TEAGUE-KINGSLEY: Oh, okay. Is that the  
10    \$4,546?  
11            MR. MIHAIL GOCIMAN: Yes.  
12            JUDGE TEAGUE-KINGSLEY: Okay.  
13            MR. MIHAIL GOCIMAN: Then the moment, you know  
14    what, this --  
15            JUDGE TEAGUE-KINGSLEY: You know, I don't want  
16    to cut you off, but it sounds like the work was done  
17    and then you got this invoice for this amount of  
18    money --  
19            MR. MIHAIL GOCIMAN: Yeah.  
20            JUDGE TEAGUE-KINGSLEY: -- for \$4,546 and then  
21    you've testified that before that, there was no  
22    discussion with you about any extra costs, you didn't



1     see a contract --

2             MR. MIHAIL GOCIMAN:   You know what I did, I

3     did something else.

4             JUDGE TEAGUE-KINGSLEY:   Uh-huh.

5             MR. MIHAIL GOCIMAN:   What I did when I got this

6     bill signed by Maria Gill (phonetic).

7             JUDGE TEAGUE-KINGSLEY:   Uh-huh.

8             MR. MIHAIL GOCIMAN:   I got in touch with her --

9             JUDGE TEAGUE-KINGSLEY:   Okay.

10            MR. MIHAIL GOCIMAN:   And I got a very nice

11     answer.

12            JUDGE TEAGUE-KINGSLEY:   Mm-hmm.

13            MR. MIHAIL GOCIMAN:   What do you expect?   We

14     are not coming for free.

15            JUDGE TEAGUE-KINGSLEY:   Hmm.   Okay.

16            MR. MIHAIL GOCIMAN:   Good.   I did not know I

17     have it pay.

18            JUDGE TEAGUE-KINGSLEY:   Okay.

19            MR. MIHAIL GOCIMAN:   Nobody told me.   We have a

20     procedure, a contract with the other company who is

21     coming to you, you don't go somewhere, doing the work

22     is not doing nothing and then you are hit with a bill

1     4,000, 10,000, 100,000.

2             JUDGE TEAGUE-KINGSLEY:  Mm-hmm.  And after you  
3     say you have this conversation, then your complaint  
4     says after some additional correspondence --

5             MR. MIHAIL GOCIMAN:  Yes.

6             JUDGE TEAGUE-KINGSLEY:  You got another bill or  
7     a reduced amount?

8             MR. MIHAIL GOCIMAN:  Yes.  I got another bill,  
9     I got another bill and that bill -- because I was  
10    going, you know, to the chain of, you know, in their  
11    field, Nicor family, going up and up and up and up on  
12    the management level and I reach a gentleman that --  
13    his name is Bachelor -- Phil Bachelor.

14            JUDGE TEAGUE-KINGSLEY:  Okay.

15            MR. MIHAIL GOCIMAN:  And he keep me on the  
16    phone -- this was some time in December some time by  
17    Christmastime.  I know that.  I was in a parking lot  
18    talking for about 45 minutes --

19            JUDGE TEAGUE-KINGSLEY:  Okay.

20            MR. MIHAIL GOCIMAN:  -- and he was trying to  
21    explain to me everything that Nicor did that -- was  
22    right.

1 JUDGE TEAGUE-KINGSLEY: Okay.

2 MR. MIHAIL GOCIMAN: But Nicor is a generous  
3 person because probably it was Christmastime, they  
4 will cut the bill in half.

5 JUDGE TEAGUE-KINGSLEY: Oh.

6 MR. MIHAIL GOCIMAN: And they will cut the bill  
7 to \$2,078.20 which basically represents the cost of  
8 installation of the meter; but do you remember, your  
9 Honor, that the flyer is saying that the meter move  
10 won't be on the customer --

11 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

12 MR. MIHAIL GOCIMAN: -- and even more, Nicor  
13 was very nice, they provide me paper showing that I  
14 was following that flyer. And in 2008, I made the  
15 call to Nicor to schedule Mihail at 5120 Chase and he  
16 asked for meter to be changed, the date is  
17 3/18/2008 --

18 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

19 MR. MIHAIL GOCIMAN: -- that means I was  
20 following the flyer --

21 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

22 MR. MIHAIL GOCIMAN: -- I'm a good customer,

1     always I pay my bills with Nicor, guys you want to  
2     move, the flyer is saying no cost, do what ever you  
3     want, it's your equipment.

4             JUDGE TEAGUE-KINGSLEY:   Okay.   So your  
5     understanding was that the invoice that was initially  
6     4,500 then reduced to \$2,3- --

7             MR. MIHAIL GOCIMAN:   Even that amount was --

8             JUDGE TEAGUE-KINGSLEY:   -- that amount was  
9     for, your understanding is was to move the meter --

10            MR. MIHAIL GOCIMAN:   He's saying --

11            JUDGE TEAGUE-KINGSLEY:   -- also for the pipe?

12            MR. MIHAIL GOCIMAN:   -- not my understanding.  
13   He's saying --

14            JUDGE TEAGUE-KINGSLEY:   Is that in your  
15   documents that --

16            MR. MIHAIL GOCIMAN:   Yes, it is.

17            JUDGE TEAGUE-KINGSLEY:   -- you attached to  
18   your --

19            MR. MIHAIL GOCIMAN:   It has to be there.

20            JUDGE TEAGUE-KINGSLEY:   Your --

21            MR. MIHAIL GOCIMAN:   It's saying here, ma'am.  
22   If you want, I can approach you and I show it --

1           MR. PADRON:   It's Exhibit D in the formal  
2   complaint.

3           MR. MIHAIL GOCIMAN:   It's highlighted in  
4   yellow.

5           JUDGE TEAGUE-KINGSLEY:   Exhibit D.   Is it  
6   towards the back?

7           MR. PADRON:   Yeah, it's towards the back.

8           MR. MIHAIL GOCIMAN:   It's Exhibit D.   My  
9   Exhibit D.

10          JUDGE TEAGUE-KINGSLEY:   Oh, my gosh.

11          MR. MIHAIL GOCIMAN:   That one.   That one.

12          JUDGE TEAGUE-KINGSLEY:   Oh, I see.   Okay.  
13   Thank you.

14          MR. MIHAIL GOCIMAN:   The paragraph --

15          JUDGE TEAGUE-KINGSLEY:   Moving -- the standard  
16   charge for moving the meter and the regulator.

17          MR. MIHAIL GOCIMAN:   You see the standard  
18   charge.   The flyer is saying no charge.

19          JUDGE TEAGUE-KINGSLEY:   Okay.   Okay.   And so  
20   the reduced amount was --

21          MR. MIHAIL GOCIMAN:   Yes.

22          JUDGE TEAGUE-KINGSLEY:   So the amount at issue

1     that you are disputing is this bill for 2- --

2             MR. MIHAIL GOCIMAN:   No.   No.   No.   No.   No.

3             JUDGE TEAGUE-KINGSLEY:   No?

4             MR. MIHAIL GOCIMAN:   No.   I'm not disputing

5     that.

6             MR. PADRON:   That was a settlement offer.

7             JUDGE TEAGUE-KINGSLEY:   That was a settlement

8     offer?

9             MR. MIHAIL GOCIMAN:   That was a settlement

10    offer.   Exactly.   Thank you.   That was the

11    gentleman's offer.   To this point, when they're

12    talking about the charges, I'm discussing something

13    else.

14             JUDGE TEAGUE-KINGSLEY:   What?

15             MR. MIHAIL GOCIMAN:   If the charges were

16    dropped for whatever reason for 4,500 to 2,000 --

17             JUDGE TEAGUE-KINGSLEY:   Uh-huh.

18             MR. MIHAIL GOCIMAN:   That's fine.   I receive

19    another invoice for 2,000.

20             JUDGE TEAGUE-KINGSLEY:   Uh-huh.

21             MR. MIHAIL GOCIMAN:   Now, this is another thing

22    that is showing how Nicor is operating.   I'm talking

1     about procedure, rules and everything else and  
2     employee of Nicor following those rulings.

3             JUDGE TEAGUE-KINGSLEY:   Mm-hmm.

4             MR. MIHAIL GOCIMAN:   Right now, your Honor, I'm  
5     in front of you and I owe Nicor, according to their  
6     opinion \$4,319.24.  It's one account and I owe also  
7     2,078.20 on another account and right now, I owe  
8     Nicor \$6,000.

9             JUDGE TEAGUE-KINGSLEY:   So is your complaint  
10    concerning both of these accounts?

11            MR. MIHAIL GOCIMAN:   Yes.  But I'm on hook.  If  
12    I might say, for \$6,000 to Nicor.

13            JUDGE TEAGUE-KINGSLEY:   No, I'm just trying to  
14    clarify --

15            MR. MIHAIL GOCIMAN:   Yes, ma'am.

16            JUDGE TEAGUE-KINGSLEY:   -- because all the  
17    bills you have on here, I see 4- --

18            MR. MIHAIL GOCIMAN:   That's all.

19            JUDGE TEAGUE-KINGSLEY:   -- -500 --

20            MR. MIHAIL GOCIMAN:   Only two.

21            JUDGE TEAGUE-KINGSLEY:   -- so are you saying  
22    that your complaint concerns both of those accounts?

1           MR. MIHAIL GOCIMAN:  Yes because when they  
2   offered the settlement, they didn't void the first  
3   charge.

4           JUDGE TEAGUE-KINGSLEY:  Okay.

5           MR. MIHAIL GOCIMAN:  So right now, they are two  
6   different accounts.  They are up for \$6,000.

7                       Now, we talk about dollars and the  
8   invoice is sent to owner of 5120 Chase Avenue, Mihail  
9   Gociman.

10          JUDGE TEAGUE-KINGSLEY:  Mm-hmm.

11          MR. MIHAIL GOCIMAN:  Your Honor, I hire a  
12   company that I mentioned before.

13          JUDGE TEAGUE-KINGSLEY:  Yeah.

14          MR. MIHAIL GOCIMAN:  Highly recommended,  
15   perfectly responsible, 30-year track record in  
16   business and everything else, no relation to Nicor  
17   and everybody else.  If they damage the pipe, I'm not  
18   an expert to determine that, like Nicor pretends,  
19   it's my fault?  No.  I hired a company.  Why you  
20   charge me for somebody else?  Why don't you charge  
21   Sewell?  Because in all the pictures -- if you see  
22   here, in all the pictures you see Sewell around the



1 hole, in the hole, around the pipe and all over the  
2 place.

3 JUDGE TEAGUE-KINGSLEY: Okay.

4 MR. MIHAIL GOCIMAN: Why charge me?

5 JUDGE TEAGUE-KINGSLEY: Okay. So are you  
6 arguing in conclusion that you are not liable for the  
7 bill because --

8 MR. MIHAIL GOCIMAN: For the pipe -- for the  
9 pipe I am not liable?

10 JUDGE TEAGUE-KINGSLEY: No, I mean for both  
11 these bills. You said --

12 MR. MIHAIL GOCIMAN: Yes.

13 JUDGE TEAGUE-KINGSLEY: -- you are disputing  
14 both of them.

15 So are you saying you're not liable --

16 MR. MIHAIL GOCIMAN: For none of them.

17 JUDGE TEAGUE-KINGSLEY: -- because you hired  
18 someone else to do it? And then is your other claim  
19 because no one else -- no one told you about this  
20 cost?

21 MR. MIHAIL GOCIMAN: Exactly.

22 JUDGE TEAGUE-KINGSLEY: Okay. Okay.

1           MR. MIHAIL GOCIMAN: No disclosure. You are  
2 obligated to today make a full disclosure. You know  
3 what is interesting in this one? Because right now  
4 they are sending me a whole list of, you know, price  
5 list --

6           JUDGE TEAGUE-KINGSLEY: Uh-huh.

7           MR. MIHAIL GOCIMAN: -- and all the policy that  
8 they have right now and if you look, this is funny  
9 because none of these things, you know, hourly date  
10 and work group and everything else, probably you have  
11 not the provided --

12          MR. PADRON: I don't know what you're talking  
13 about.

14          MR. MIHAIL GOCIMAN: I'm talking about the one  
15 that you sent.

16          MS. MAGDALENA GOCIMAN: Yesterday.

17          MR. MIHAIL GOCIMAN: Yesterday.

18          MR. PADRON: I sent you a lot of documents.

19          MR. MIHAIL GOCIMAN: Yes, that's that one.  
20 Those.

21          MR. PADRON: All of them?

22          MR. MIHAIL GOCIMAN: Yeah, all of them. I have

1     it here.

2             MR. PADRON:   I have a copy for you here.

3             MR. MIHAIL GOCIMAN:   So if, your Honor, you

4     have -- because here what they are doing, look at

5     here, right now after the work is done --

6             JUDGE TEAGUE-KINGSLEY:   Mm-hmm.

7             MR. MIHAIL GOCIMAN:   -- after we are here for a

8     year or something, they're showing me a whole list of

9     how the work has to be done.

10            JUDGE TEAGUE-KINGSLEY:   Uh-huh.

11            MR. MIHAIL GOCIMAN:   It's full disclosure to

12    the company --

13            JUDGE TEAGUE-KINGSLEY:   Uh-huh.

14            MR. MIHAIL GOCIMAN:   -- my friend, it will cost

15    you so much because this is done --

16            JUDGE TEAGUE-KINGSLEY:   Right.

17            MR. MIHAIL GOCIMAN:   -- if it's your fault.

18    Well, it was not my fault.   It was fault of the

19    contractor --

20            JUDGE TEAGUE-KINGSLEY:   Okay.

21            MR. MIHAIL GOCIMAN:   -- if it's my fault, I hit

22    the pipe, you pay this, you do that.   Even more, just

1     because they decided that the pipe was hit, it has to  
2     be -- buried, whatever you want, it have to come from  
3     across the street, he's telling me that I would be  
4     responsible, as the owner, because this is an  
5     improvement on their system and I have to swallow, if  
6     I may say, the cost for that one. Sure, I'll do  
7     that, but the other point this situation happened in  
8     2014. This is the enhancement that -- it's  
9     June 2015 --

10           JUDGE TEAGUE-KINGSLEY: Mm-hmm.

11           MR. MIHAIL GOCIMAN: What bearing does this  
12     have to my case?

13           JUDGE TEAGUE-KINGSLEY: Okay. Okay.

14           MR. MIHAIL GOCIMAN: You know, interactive,  
15     let's get serious on this one.

16           JUDGE TEAGUE-KINGSLEY: Okay. Thank you. I  
17     think you've done a really good job of explaining to  
18     me what --

19           MR. MIHAIL GOCIMAN: And I have more but you  
20     know --

21           JUDGE TEAGUE-KINGSLEY: Well, I think you kind  
22     of got at it. You know, that your issue is that

1     you've been charged for this work and no one you  
2     don't believe anyone discuss this with you and that  
3     you contracted to have someone else do it.

4                     Did you want to offer these -- well,  
5     are you done?

6             MR. MIHAIL GOCIMAN:   No.   I want it add one  
7     thing.

8             JUDGE TEAGUE-KINGSLEY:   Okay.

9             MR. MIHAIL GOCIMAN:   And I think it's paramount  
10    for whatever took place.   Is the culture, the  
11    mentality of a company -- on people that work in the  
12    company.   When the first call was made to come to my  
13    place by Sewell and my confirmation, the call was  
14    made on 7/30/2000 and the time was 10:18.   It is  
15    showing here on the right side, less contact  
16    20 years -- 29 days ago, which is basically pay the  
17    bill.   Next line, one contract for person, multiple  
18    financial responsibility.   The moment that call was  
19    made, Nicor already determined that I have, you know,  
20    responsibility financial --

21             JUDGE TEAGUE-KINGSLEY:   Mm-hmm.

22             MR. MIHAIL GOCIMAN:   -- which one?   I pay my

1 bills. They pay on time. Now why did they put this  
2 one? The moment they dispatch a technician and their  
3 mind was, we'll charge that person. Fine. But be  
4 honest. Follow the rule of business -- the good  
5 business practice and tell up front the customer, My  
6 friend, it will cost you so much if we're doing this  
7 at that moment I'll talk to -- yeah, you are the  
8 contractor, you did the stuff, you resolve with them,  
9 nothing like this took place. Nobody informed me.  
10 This is the key --

11 JUDGE TEAGUE-KINGSLEY: Okay.

12 MR. MIHAIL GOCIMAN: -- everything was done.  
13 Nothing is secrete. Let's fix it, then we'll see. I  
14 don't know what their mentality, but it's wrong  
15 and -- very wrong to send a technician to resolve a  
16 problem that is hiding the badge. I have a picture  
17 and show him, he's here. He made his report that  
18 later on was written that I was rude to him. You  
19 scream on me, you are on my land, you have no  
20 knowing, who you are?

21 JUDGE TEAGUE-KINGSLEY: Okay. I understand  
22 your issue and I appreciate emphasizing that the

1 issue for you is that no one discussed --

2 MR. MIHAIL GOCIMAN: Yes.

3 JUDGE TEAGUE-KINGSLEY: -- you don't believe

4 anyone discussed this --

5 MR. MIHAIL GOCIMAN: Yes. And the culture --

6 JUDGE TEAGUE-KINGSLEY: -- you weren't aware --

7 MR. MIHAIL GOCIMAN: Yes.

8 JUDGE TEAGUE-KINGSLEY: -- that there would a

9 cost for it -- I'm going to get to you one second.

10 So before Mr. Padron proceeds with any questions that

11 he might have, I wanted to know if you'd like to

12 offer -- you've provided me these exhibits that were

13 attached to your complaint. You'd like to have them

14 entered into the record. They've been marked as

15 Complainant Exhibit -- Group Exhibit 1.

16 Would you like to offer these into the

17 record, Mr. Gociman?

18 MR. MIHAIL GOCIMAN: Yeah, I can offer you but

19 you know he has it. He has it.

20 JUDGE TEAGUE-KINGSLEY: Okay.

21 MR. MIHAIL GOCIMAN: I have marks. I have

22 notes.

1 JUDGE TEAGUE-KINGSLEY: Is there any objection  
2 to admitting this group exhibit?

3 MR. PADRON: There's two -- not the group  
4 itself, but there are two things in particular.

5 JUDGE TEAGUE-KINGSLEY: Okay.

6 MR. PADRON: One is the -- in the neighborhood  
7 flyer.

8 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

9 MR. PADRON: -- for lack of foundation.  
10 There's --

11 MR. MIHAIL GOCIMAN: I object.

12 MR. PADRON: There's no address on here. He's  
13 saying he got this in the mail. There's nothing in  
14 here indicating that this went to Mr. Gociman.

15 JUDGE TEAGUE-KINGSLEY: There's a Nicor --  
16 what's your response, Mr. Gociman?

17 MR. MIHAIL GOCIMAN: Yes, ma'am. My response  
18 is this one: This is, again, same way of Nicor is  
19 behaving. It's true, I made the call on March  
20 2008 --

21 JUDGE TEAGUE-KINGSLEY: No, we're talking  
22 about --



1           MR. MIHAIL GOCIMAN:   Because of this one.

2   Because one of this --

3           JUDGE TEAGUE-KINGSLEY:   Yeah, no, we're just --

4   I don't mean to cut you off, but I just want you to

5   address --

6           MR. MIHAIL GOCIMAN:   Nicor.

7           JUDGE TEAGUE-KINGSLEY:   -- the fact that he's

8   saying --

9           MR. MIHAIL GOCIMAN:   Nicor.

10          JUDGE TEAGUE-KINGSLEY:   -- there's no -- you

11   haven't late laid a foundation.   Tell me this, when

12   did you -- when do you believe you received this

13   flyer?

14          MR. MIHAIL GOCIMAN:   Okay.   One like this, I

15   received in 2008.

16          JUDGE TEAGUE-KINGSLEY:   In 2000 what?

17          MR. MIHAIL GOCIMAN:   8.

18          JUDGE TEAGUE-KINGSLEY:   Okay.   And you are --

19          MR. MIHAIL GOCIMAN:   And I made the phone call.

20   I made the phone call and I scheduled an appointment

21   for a contractor to come.

22          JUDGE TEAGUE-KINGSLEY:   Okay.

1           MR. MIHAIL GOCIMAN: I left a message. It's  
2 recorded. Nobody show up.

3           JUDGE TEAGUE-KINGSLEY: Let's just focus on  
4 this. And so you are testifying that you received  
5 this flyer in --

6           MR. MIHAIL GOCIMAN: A similar flyer.

7           JUDGE TEAGUE-KINGSLEY: A similar, not this one  
8 this on is dated 2014.

9           MR. MIHAIL GOCIMAN: Yes because this one I  
10 took from Internet because Nicor is going --

11          JUDGE TEAGUE-KINGSLEY: Okay.

12          MR. MIHAIL GOCIMAN: I ask Nicor one thing.

13          JUDGE TEAGUE-KINGSLEY: Sir, I'm sorry. I  
14 don't mean to interrupt you, but we have to have --

15          MR. MIHAIL GOCIMAN: I understand he's  
16 contesting this one.

17          JUDGE TEAGUE-KINGSLEY: Mr. Padron is objecting  
18 to this stating that you have not laid a foundation  
19 to indicate how -- how we know this is, you know, was  
20 an actual document.

21          MR. MIHAIL GOCIMAN: Pertaining to me?  
22 Pertaining to me?

1 JUDGE TEAGUE-KINGSLEY: -- by Nicor.

2 So you're saying you got this off the

3 Internet?

4 MR. MIHAIL GOCIMAN: Similar like this I got in

5 mail in 2008.

6 JUDGE TEAGUE-KINGSLEY: Right. I am asking you

7 about this one now.

8 MR. MIHAIL GOCIMAN: Right. This one is from

9 Internet that is referring to South Side of Chicago.

10 JUDGE TEAGUE-KINGSLEY: What?

11 MR. MIHAIL GOCIMAN: It's referring to a

12 neighborhood in South Side of Chicago.

13 JUDGE TEAGUE-KINGSLEY: So it's not referring

14 to your neighborhood?

15 MR. MIHAIL GOCIMAN: Not referring to my

16 neighborhood, but can I say something? This one here

17 is, again, it's January 2014, before my, you know,

18 pleasant encounter with Nicor.

19 JUDGE TEAGUE-KINGSLEY: Yeah. I'm going to

20 sustain the objection because this is not for your

21 neighborhood and it was off the Internet and it's

22 really -- it's not -- it doesn't really go to the

1     issue what you're trying to prove because this isn't  
2     the one that you got, so I will sustain that  
3     objection.

4             MR. MIHAIL GOCIMAN:   I'm allowed to say  
5     something or not?

6             JUDGE TEAGUE-KINGSLEY:   What do you want to  
7     say?

8             MR. MIHAIL GOCIMAN:   I want to say that if you  
9     sustain this one -- and it's your right to do that, I  
10    mean sustain this -- you know what, Nicor, I'm asking  
11    them to provide all of the flyers --

12            JUDGE TEAGUE-KINGSLEY:   Well --

13            MR. MIHAIL GOCIMAN:   -- they painted because  
14    we'll see another one.   We'll see another one.

15            JUDGE TEAGUE-KINGSLEY:   Let me ask you a  
16    question.

17            MR. MIHAIL GOCIMAN:   Yes.

18            JUDGE TEAGUE-KINGSLEY:   Mr. Padron, if he says  
19    he wants to have this offered just to show that he  
20    found a similar one on the Internet that's not  
21    related to his neighborhood, are you okay with  
22    letting it in?

1           MR. PADRON:  No.  Only in that I already  
2   prepared a similar exhibit also from the Internet  
3   from the Nicor Web site that specifically shows the  
4   areas in Skokie where this program is applied.

5           JUDGE TEAGUE-KINGSLEY:  Right.  But is yours --  
6   like, you printed yours off the Internet as well;  
7   right?

8           MR. PADRON:  I did and I also -- I have the  
9   testimony that will be provided will go into where  
10  the program is being offered, why it's being  
11  offered --

12          JUDGE TEAGUE-KINGSLEY:  Yeah.

13          MR. PADRON:  -- when it's being offered and  
14  it's specifically -- I also printed out another  
15  exhibit I have, it's is a Google map of Skokie where  
16  we've identified his residence on Chase.

17          JUDGE TEAGUE-KINGSLEY:  Right.  But yours --  
18  you still went off the Internet and you printed  
19  something off.  So --

20          MR. PADRON:  But it's for his area.

21          JUDGE TEAGUE-KINGSLEY:  Right.  But this isn't,  
22  if we -- Mr. Gociman has been very honest and he says

1     that this is not for his area.  So if I admit this  
2     into the record with the understanding that this is  
3     not for his area --

4             MR. PADRON:  Oh, that's fine.  Then that's  
5     fine.

6             JUDGE TEAGUE-KINGSLEY:  I'm going to allow this  
7     to come into the record --

8             MR. MIHAIL GOCIMAN:  Please.  Thank you very  
9     much.

10            JUDGE TEAGUE-KINGSLEY:  -- with -- with the  
11    understanding as we just stated, that this was not a  
12    newsletter --

13            MR. MIHAIL GOCIMAN:  The actual one.

14            JUDGE TEAGUE-KINGSLEY:  Let me finish.

15            MR. MIHAIL GOCIMAN:  I'm sorry.

16            JUDGE TEAGUE-KINGSLEY:  That this was not a  
17    newsletter that was delivered to your home, that you  
18    pulled it off the Internet, it's dated 20- --  
19    January 2014 and it is not for your area.  So I'll  
20    admit it and --

21            MR. MIHAIL GOCIMAN:  Can I say something else?

22            JUDGE TEAGUE-KINGSLEY:  No.  We're done with

1     that.

2             MR. MIHAIL GOCIMAN:   No --

3             JUDGE TEAGUE-KINGSLEY:  No, I've admitted it

4     into the record.  I'm going to allow --

5             MR. MIHAIL GOCIMAN:   It's my --

6             JUDGE TEAGUE-KINGSLEY:  No, it's not relevant.

7             MR. MIHAIL GOCIMAN:   Okay.  Fine.

8             JUDGE TEAGUE-KINGSLEY:  His question was just

9     regarding -- he had objected to your exhibit --

10            MR. MIHAIL GOCIMAN:   Okay.

11            JUDGE TEAGUE-KINGSLEY:  -- we talked a little

12     built more and I've concluded I will admit this

13     exhibit with the understanding that it's not for your

14     area.

15            MR. MIHAIL GOCIMAN:   Okay.

16            JUDGE TEAGUE-KINGSLEY:  And then, Mr. Padron, I

17     think you had an objection to another --

18            MR. PADRON:   The other objection is regarding

19     the \$2,000 bill.  I don't know if he's trying to

20     offer it -- it sounds like he's trying to offer it as

21     proof of the amount that Nicor is trying to seek off

22     him or Nicor's inability -- I'm not exactly sure what

1     he's offering it for.

2             JUDGE TEAGUE-KINGSLEY:   Which one?   I'm sorry.

3             MR. PADRON:   It's the --

4             MR. MIHAIL GOCIMAN:   The exhibit, my --

5             JUDGE TEAGUE-KINGSLEY:   Is this the one that

6     says three messages and then it says --

7             MR. PADRON:   No.   It's an actual bill.   It's

8     the bill for 2,000 --

9             JUDGE TEAGUE-KINGSLEY:   Oh, 358?

10            MR. PADRON:   Right.   And that bill -- it's

11   really two-fold objection.   One is is that you can't

12   offer into evidence anything relating to settlement

13   pursuant to Illinois Rule of Evidence 408.   The other

14   thing is that if you look at his own Exhibit D, the

15   letter that he referred to by Phil Bachelor --

16            JUDGE TEAGUE-KINGSLEY:   Uh-huh.

17            MR. PADRON:   That letter specifically spells

18   out that this \$2,000 bill is an offer of settlement,

19   that the original bill for \$4,319.24 -- that's

20   without the taxes -- is what they -- is what the

21   charges that were accrued by Nicor.   So the letter

22   that he has as Exhibit D, I have no problem with the



1 letter in that it explains exactly what the \$2,000  
2 bill is.

3 JUDGE TEAGUE-KINGSLEY: So your problem --

4 MR. MIHAIL GOCIMAN: I have an objection.

5 JUDGE TEAGUE-KINGSLEY: One second.

6 So your bill -- he has an explanation,  
7 but your problem with this bill is what?

8 MR. PADRON: First of all, it's -- if it's  
9 offer of settlement, it can't be introduced into  
10 evidence pursuant to 408 that's period.

11 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

12 MR. PADRON: So if we're going to -- if you'll  
13 grant the objection and the \$2,000 bill stay out of  
14 evidence --

15 JUDGE TEAGUE-KINGSLEY: Uh-huh.

16 MR. PADRON: -- then I'm fine.

17 MR. MIHAIL GOCIMAN: I object to this.

18 JUDGE TEAGUE-KINGSLEY: You're fine with the  
19 letter?

20 MR. PADRON: I'm fine with the letter.

21 MR. MIHAIL GOCIMAN: I object to this and I  
22 tell you what this letter is saying, offer of the

1 settlement. The offer of the settlement was made in  
2 December. Okay? And in January, it was a  
3 settlement, your Honor, I have a bill that's saying  
4 January 27th, 2015 and it's past due --

5 JUDGE TEAGUE-KINGSLEY: Uh-huh.

6 MR. MIHAIL GOCIMAN: -- of 2000 something, this  
7 is the account that it's up to --

8 JUDGE TEAGUE-KINGSLEY: Uh-huh.

9 MR. MIHAIL GOCIMAN: -- so he offered me  
10 this --

11 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

12 MR. MIHAIL GOCIMAN: -- I didn't say "yes" or  
13 "no" on that one.

14 JUDGE TEAGUE-KINGSLEY: Right. No --

15 MR. MIHAIL GOCIMAN: I follow -- but they right  
16 away, they hit me with a bill.

17 JUDGE TEAGUE-KINGSLEY: Right. No, I  
18 understand.

19 MR. MIHAIL GOCIMAN: What settlement is that?

20 JUDGE TEAGUE-KINGSLEY: No, I understand, but  
21 here's of the thing, you've -- you've got this bill  
22 for --

1           MR. MIHAIL GOCIMAN:   Yes.

2           JUDGE TEAGUE-KINGSLEY:  -- the \$2,348, but

3   Mr. Padron is fine with keeping your letter which

4   says that they were going to charge you --

5           MR. MIHAIL GOCIMAN:   That's fine.

6           JUDGE TEAGUE-KINGSLEY:  -- they were going to

7   settle with you for \$2,358, so I'm going to sustain

8   his objection and not let this in, but you also have

9   this exhibit that has this amount in here --

10          MR. MIHAIL GOCIMAN:   Okay.

11          JUDGE TEAGUE-KINGSLEY:  -- that goes to your

12   issue of how much the bill is --

13          MR. MIHAIL GOCIMAN:   No, it's middle of the

14   road --

15          JUDGE TEAGUE-KINGSLEY:   Okay.

16          MR. MIHAIL GOCIMAN:   -- let's put it this way.

17          JUDGE TEAGUE-KINGSLEY:   All right.  So with

18   that said, Complainant's Group Exhibit 1 will be

19   admitted into the record provided that -- I don't

20   know what page this is, but the bill that in the

21   amount of \$2,358.69, which I think has a "B" on the

22   top right, that will not be entered into the record,

1 but everything else will. Okay?

2 (Whereupon, Complainant's  
3 Group Exhibit No. 1 was  
4 admitted into evidence.)

5 MR. MIHAIL GOCIMAN: So, basically, I'm going  
6 to owe 4,000?

7 JUDGE TEAGUE-KINGSLEY: No. No. It's what  
8 we're going to offer into the record. That's all.

9 MR. MIHAIL GOCIMAN: Okay.

10 JUDGE TEAGUE-KINGSLEY: Mr. Padron, do you have  
11 questions for Mr. Gociman?

12 CROSS-EXAMINATION

13 BY

14 MR. PADRON:

15 Q You stated that when the contractor and the  
16 technician from Nicor were arguing, that the  
17 contractor told you that he was arguing with someone  
18 from Nicor; correct?

19 A Not the contractor. When I went outside  
20 and, your Honor will allow me to be detail or not?

21 The question is this: I went outside  
22 and I see two people arguing. One had a safety

1 vest --

2 JUDGE TEAGUE-KINGSLEY: Let's be direct. What  
3 is your specific question? Can you restate it again?

4 MR. PADRON: He specifically stated during his  
5 direct testimony --

6 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

7 MR. PADRON: -- that his contractor, George  
8 Sewell --

9 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

10 MR. PADRON: Told him that Nicor was on the  
11 premises.

12 JUDGE TEAGUE-KINGSLEY: Okay.

13 MR. MIHAIL GOCIMAN: Yes.

14 JUDGE TEAGUE-KINGSLEY: You just want him to  
15 answer the question "yes" or "no" if --

16 MR. PADRON: It's correct. That's correct.

17 MR. MIHAIL GOCIMAN: Yes. Was -- Nicor was on  
18 the premises because --

19 JUDGE TEAGUE-KINGSLEY: Okay. That's fine.  
20 That's okay.

21 MR. MIHAIL GOCIMAN: -- the house.

22 JUDGE TEAGUE-KINGSLEY: That's it. Okay. All

1 right.

2 BY MR. PADRON:

3 Q Do you have any reason or did you have any  
4 reason to not believe your contractor, that it was  
5 someone from Nicor?

6 A I have all the reason because I didn't see  
7 the guy with the badge. I have all kinds of people  
8 coming -- knocking on my door. Where is your badge?  
9 Why don't you wear your badge? It's not the company  
10 policy to wear your badge on your shoulder to the  
11 site? I'm asking him right now.

12 JUDGE TEAGUE-KINGSLEY: No, you can't --

13 MR. MIHAIL GOCIMAN: I did not see -- I can't  
14 ask him? I'm telling you my point of view.

15 JUDGE TEAGUE-KINGSLEY: Okay. You've answered  
16 the question.

17 MR. MIHAIL GOCIMAN: Yeah.

18 JUDGE TEAGUE-KINGSLEY: Just --

19 MR. MIHAIL GOCIMAN: Yes.

20 JUDGE TEAGUE-KINGSLEY: It will be more helpful  
21 I know that --

22 MR. MIHAIL GOCIMAN: Yeah, yeah.

1 JUDGE TEAGUE-KINGSLEY: -- you have a lot of  
2 things that you want to say, but it will be more  
3 helpful for us to get the right information --

4 MR. MIHAIL GOCIMAN: Yes. Yes. They told me  
5 that was --

6 JUDGE TEAGUE-KINGSLEY: -- get right to the  
7 point --

8 MR. MIHAIL GOCIMAN: -- but you know what --

9 JUDGE TEAGUE-KINGSLEY: -- of what the  
10 questions are.

11 THE REPORTER: I can only take one person at a  
12 down.

13 JUDGE TEAGUE-KINGSLEY: Okay. Yeah. We have  
14 to talk one at a time, the court reporter --

15 MR. MIHAIL GOCIMAN: Yeah, sorry.

16 JUDGE TEAGUE-KINGSLEY: That's okay. So what  
17 is your next question, Mr. Padron?

18 BY MR. PADRON:

19 Q You stated that it was the supervisor Tina  
20 who told you that your meter needed to be moved from  
21 the inside to the outside?

22 A Correct. She was at my house.

1           Q     So you didn't care whether or not the meter  
2     was moved from the inside to the outside?

3           A     No, I didn't care. It was there for years.  
4     30 years.

5           Q     Did you ask Tina to upgrade the service  
6     line -- strike that.

7                     Did you ask Tina to have the service  
8     line moved so your contractor can put in the drainage  
9     tile?

10          MS. MAGDALENA GOCIMAN: No.

11          MR. MIHAIL GOCIMAN: To put the what? The  
12     drainage tile?

13     BY MR. PADRON:

14          Q     The service line that was -- that's at  
15     issue that's in the picture, it was in the way of  
16     your contractor putting in the drainage tile;  
17     correct?

18          A     Yes. Okay. No, I didn't ask her to do  
19     that.

20          Q     I'm sorry?

21          A     No, I didn't ask her to move. The issue  
22     was different.



1           Q     But the line was in the way of your sewer  
2     tile being installed; correct?

3           A     Yeah, but...

4           Q     So you never asked her to move it though?

5           A     No. That was not the issue. The issue was  
6     the line was damaged and this was him making the  
7     noise.

8           Q     Did you at any time ask Tina to upgrade the  
9     service line?

10          A     For what? No.

11          Q     Okay. After the events that took place on  
12     July 30th of 2014, did you make any type of written  
13     record, a memo, notes, anything relating to the  
14     events that occurred?

15          MS. MAGDALENA GOCIMAN: Yes.

16          MR. MIHAIL GOCIMAN: Yes, we did.

17          MS. MAGDALENA GOCIMAN: I did.

18     BY MR. PADRON:

19          Q     Where is it?

20          JUDGE TEAGUE-KINGSLEY: I'm going to let you  
21     testify --

22          MS. MAGDALENA GOCIMAN: I did.

1 JUDGE TEAGUE-KINGSLEY: -- but let him testify.

2 MR. MIHAIL GOCIMAN: Yes. Yes.

3 BY MR. PADRON:

4 Q Where -- can you tell me where that is?

5 A Some of -- I may have it here.

6 Q Is it attached as an exhibit to your formal

7 complaint?

8 A Yes, it is. I give it to you when we first

9 met. I have here a whole bunch of them. It's listed

10 A and all of them are here. In fact, I put a picture

11 because you give me a color picture because I never

12 had color picture, I never took pictures, so you see

13 that I started to go -- and I see here, GG- -- CC,

14 Senior Management Field Operation.

15 Q What page are you referring to?

16 MR. MIHAIL GOCIMAN: Your Honor, can I approach

17 you?

18 JUDGE TEAGUE-KINGSLEY: Sure.

19 MR. PADRON: Is he going to show me too?

20 JUDGE TEAGUE-KINGSLEY: Yeah.

21 MR. MIHAIL GOCIMAN: You see this, I have at

22 bill here.

1 JUDGE TEAGUE-KINGSLEY: You can. Which one are  
2 you...

3 MR. MIHAIL GOCIMAN: Okay. So I have here the  
4 bill --

5 JUDGE TEAGUE-KINGSLEY: Uh-huh.

6 MR. MIHAIL GOCIMAN: -- and because of this  
7 bill, to me, the logic that I put it in order, this  
8 bill generated this complaint.

9 JUDGE TEAGUE-KINGSLEY: Yeah, no, but just show  
10 us what...

11 MR. MIHAIL GOCIMAN: It's here, ma'am. Here.  
12 Here. And I mention.

13 JUDGE TEAGUE-KINGSLEY: What was your question?  
14 If you had any notes?

15 MR. PADRON: Yeah.

16 MR. MIHAIL GOCIMAN: It's --

17 JUDGE TEAGUE-KINGSLEY: So -- these aren't your  
18 notes, are they?

19 MR. MIHAIL GOCIMAN: Yes. Yes. My notes and  
20 here, this is his picture, that he gave me the last  
21 time we were here.

22 JUDGE TEAGUE-KINGSLEY: But these aren't notes.

1           MR. MIHAIL GOCIMAN:   These are.

2           JUDGE TEAGUE-KINGSLEY:   You are asking about

3   written notes?

4           MR. PADRON:   Yes.

5           JUDGE TEAGUE-KINGSLEY:   He's asking about

6   written notes.   So these aren't notes.

7           MR. MIHAIL GOCIMAN:   This is how -- what I did.

8   We have computers right now --

9           JUDGE TEAGUE-KINGSLEY:   No.   No.   These are

10   correspondence, but it's not notes.   He just wants to

11   know if maybe you've written -- you wrote something

12   down.

13          MR. MIHAIL GOCIMAN:   No.

14          JUDGE TEAGUE-KINGSLEY:   Okay.   Okay.   That's

15   let's go to the next question.

16          MR. MIHAIL GOCIMAN:   I write it down on the --

17          JUDGE TEAGUE-KINGSLEY:   We've got to get

18   moving.

19          MR. PADRON:   So the answer is "no"?

20          JUDGE TEAGUE-KINGSLEY:   So the answer is "no."

21                           Okay.

22          MR. MIHAIL GOCIMAN:   My memory is still good,

1     you know, that's why --

2             JUDGE TEAGUE-KINGSLEY:   No, that's okay.

3     What's your next question?

4             MR. PADRON:   That's it, Judge.

5             JUDGE TEAGUE-KINGSLEY:   Okay.   Is that your

6     wife?

7             MS. MAGDALENA GOCIMAN:   Yes.

8             JUDGE TEAGUE-KINGSLEY:   Okay.   What's your

9     name?

10            MS. MAGDALENA GOCIMAN:   I'm the owner --

11     co-owner, Magdalena.

12            JUDGE TEAGUE-KINGSLEY:   What's your name?

13            MS. MAGDALENA GOCIMAN:   Magdalena Gociman.

14            JUDGE TEAGUE-KINGSLEY:   Can you spell it for

15     us?

16            MS. MAGDALENA GOCIMAN:   M-a-g-d-a-l-e-n-a and

17     last name is same, G-o-c-i-m-a-n.

18            JUDGE TEAGUE-KINGSLEY:   Okay.

19            MS. MAGDALENA GOCIMAN:   Same name for 48 years.

20            JUDGE TEAGUE-KINGSLEY:   Oh, wow.   Okay.   Would

21     you -- Mr. Gociman, is she going to be your witness?

22     Is she going to testify?

1           MR. MIHAIL GOCIMAN:   If Nicor --

2           JUDGE TEAGUE-KINGSLEY:   Do you have --

3           MR. MIHAIL GOCIMAN:   -- has any question or

4 something.

5           JUDGE TEAGUE-KINGSLEY:   -- something you want

6 to say?

7           MS. MAGDALENA GOCIMAN:   Yes.

8           JUDGE TEAGUE-KINGSLEY:   Before --

9           MS. MAGDALENA GOCIMAN:   Yes.

10          JUDGE TEAGUE-KINGSLEY:   -- we go, it has to

11 be -- no, before you do that, you can only testify

12 about things you have personal knowledge of.

13          MS. MAGDALENA GOCIMAN:   Yes.

14          JUDGE TEAGUE-KINGSLEY:   So it can be like

15 something --

16          MS. MAGDALENA GOCIMAN:   Yes.

17          JUDGE TEAGUE-KINGSLEY:   -- he told you or

18 anything like that.   Okay?

19          MS. MAGDALENA GOCIMAN:   Yes.

20          JUDGE TEAGUE-KINGSLEY:   You can raise your

21 right hand now.

22

1 (Witness sworn.)

2 MAGDALENA GOCIMAN,

3 called as a witness herein, having been first duly

4 sworn, was examined and testified as follows:

5 EXAMINATION

6 BY

7 JUDGE TEAGUE-KINGSLEY:

8 Q What would you like to tell me?

9 A Okay. First of all, I want to say

10 99.9 percent all of the correspondence was done by

11 me.

12 Q Okay.

13 A I was permanently witness of what happened.

14 Q Okay.

15 A And when happened the Nicor people came --

16 Q Uh-huh.

17 A -- and was big commotion outside as this

18 gentleman was -- I don't want to say anything -- who

19 was rude was --

20 Q Mm-hmm.

21 A -- called supervisor --

22 Q Mm-hmm.

1           A     -- and Mrs. Tina who came --

2           Q     Mm-hmm.

3           A     -- and was -- I was baby sitting my husband

4     made the mistake the dog from our daughter, the

5     conversation 99.9 percent was about apologizing for

6     his behalf --

7           Q     Mm-hmm.

8           A     -- trying to say I'm so sorry for you are

9     going through this --

10          Q     Mm-hmm.

11          A     -- I have a daughter who is getting married

12     and so on --

13          Q     Mm-hmm.

14          A     -- and, again, I can swear not on this, I

15     can swear on my children, she never said one word

16     regarding it will cost you something or we have to do

17     something. Besides this, parentheses, I am engineer

18     by trade like my husband --

19          Q     Mm-hmm.

20          A     I can prove for 20 years I was the engineer

21     in the United States. You never, never, never start

22     a job --



1           Q     Mm-hmm.

2           A     -- you never, never, never charge somebody  
3     beforehand and inform what they have to pay and what  
4     they have to do --

5           Q     Mm-hmm.

6           A     -- it was not done. What she did, she  
7     tried to calm us down because there was so much  
8     commotion. We live in this house for 30-something  
9     years, never have police in our backyard or front  
10    yard --

11          Q     Mm-hmm.

12          A     -- and she tried to say, I'm sorry, sorry,  
13    sorry for him on him on her behalf --

14          Q     Right. So she came --

15          A     To calm us down because of --

16          Q     -- apologize and your -- and your  
17    recollection is that there was no discussion about --

18          A     No.

19          Q     -- an additional cost?

20          A     No. I can -- how I can --

21          Q     Okay.

22          A     -- recollect, she had daughter that was

1     going to marry --

2           Q     Yeah, no, that's okay, yeah, no, that's --

3           A     I don't have dimension, I know exactly I'm

4     working with numbers --

5           Q     Okay.

6           A     -- so I know exactly even how she was

7     dressed.

8           Q     Okay. So you're testifying you just want

9     to make it clear that --

10          A     I want to be -- I am telling you like a

11     professional person. Here, people are maybe -- you

12     are judge, lawyer and so on.

13          Q     Mm-hmm.

14          A     I'm engineer with Muster (phonetic) and I

15     wrote books for this country --

16          Q     Mm-hmm.

17          A     -- you don't do any job --

18          Q     Mm-hmm.

19          A     -- before you disclose what has to be, what

20     is the scope of work.

21          Q     Yes.

22          A     You don't charge somebody and make up

1 afterwards you have to pay because I say so and so  
2 on.

3 Q Right.

4 A Everything today -- technology, you can  
5 write down and post to its different date --

6 Q Mm-hmm.

7 A -- but back then, there was no word about  
8 one dollar.

9 Q Okay.

10 A Short only to calm us and the work will be  
11 done, please, please, please, I'm sorry for him, that  
12 was the question.

13 Q Okay. And were you -- I'll turn -- I'll  
14 allow you to ask questions, but I just had two quick  
15 ones.

16 Were you present when your husband  
17 initially spoke with them do you know?

18 A I was permanently next to him.

19 Q Do you know what he said to them? Like why  
20 he wanted them to come out or anything? You don't  
21 have to say if you don't recall.

22 A No, I am telling you --

1 Q Okay.

2 A -- exactly what the owner --

3 Q Okay.

4 A -- from the company we hire --

5 Q Uh-huh.

6 A -- Edgar --

7 MR. MIHAIL GOCIMAN: Edgar Sewell.

8 MS. MAGDALENA GOCIMAN: -- who came and said

9 they don't want to talk with us because we are not

10 the owners, we are the contractor. You, owner, you

11 have confer we are here.

12 BY JUDGE TEAGUE-KINGSLEY:

13 Q Okay. Okay. All right.

14 A And the gentlemen, the only issue was the

15 pipe was scratched and Edgar has to pay this is

16 original problem.

17 Q Okay. Thank you very much.

18 A He said you were almost fight with the

19 contractor.

20 Q Okay. But you're testifying that there was

21 no discussion of cost or anything.

22 JUDGE TEAGUE-KINGSLEY: Mr. Padron, did you

1 have any questions for this witness?

2 MR. PADRON: I do, but before I ask any  
3 questions, I'd just like to object to any type of  
4 testimony in terms of her expertise as an engineer.  
5 She's not being offered as an engineer. I have no  
6 problem with her testifying that she stood next to  
7 her husband and she never heard Nicor say anything  
8 about being -- having to incur a cost for the work  
9 they were going to do --

10 JUDGE TEAGUE-KINGSLEY: Mm-hmm.

11 MR. PADRON: But I do object to her offering  
12 testimony as an engineer as to how the project is  
13 supposed to take place.

14 JUDGE TEAGUE-KINGSLEY: Okay. Then could  
15 she -- are you comfortable if she is viewed as her  
16 personal experience, her understanding is that  
17 typically you would...

18 MR. PADRON: Yeah, I have no understanding if  
19 that's her typical understanding, but --

20 BY JUDGE TEAGUE-KINGSLEY:

21 Q Mr. -- Miss Gociman, are you saying that  
22 it's your personal experience --

1           A     It's my personal experience --

2           Q     -- you would --

3           A     -- for 30-something years in -- more than

4     30-something years and not -- I have accent but like

5     I said in this country I am one of two people who

6     wrote and followed --

7           Q     Right. But I think you --

8           A     -- it's experience; but on the other

9     hand --

10          Q     But you're just saying --

11          A     -- on the other hand, writing down the --

12     all the papers and going from bottom to the top, I

13     end up here because I spoke -- and I think my husband

14     has somewhere -- with a lady who -- the complaint

15     went to Nicor and Nicor declined more or less the

16     complaint and I verbally spoke with a lady and she

17     said, Ma'am, I'm completely disappoint -- and she can

18     be called to be witness -- the way Nicor is doing

19     it -- work -- it's not the way it's supposed to be,

20     you are right and I am -- recommend you to send all

21     the complaint to here, so she sent me the booklet

22     with all the information and everything.

1           Q     Oh, for the Commission?

2           A     Exactly.

3           Q     Okay. Told you that you have --

4           A     Exactly.

5           Q     -- you can contact the Commission --

6           A     And I present all the credential and

7 everything and she said, I truly believe you do by

8 the book, they didn't.

9           Q     Okay.

10          A     This is her words.

11          JUDGE TEAGUE-KINGSLEY: Did you have any other

12 questions?

13          MR. PADRON: Yes. So just so I understand, her

14 testimony is not being offered --

15 BY JUDGE TEAGUE-KINGSLEY:

16          Q     No, she's not -- you're not offering your

17 testimony as an engineer, you are offering it as a

18 witness --

19          A     Exactly.

20          Q     -- to what happened?

21          MR. PADRON: That's fine.

22

1 CROSS-EXAMINATION

2 BY

3 MR. PADRON:

4 Q Mrs. Gociman, at any point did you ask Tina

5 to move your meter from the inside to the outside?

6 A No. We talk about children.

7 Q At any point did you ask Tina to relocate

8 the service line so the sewer could be -- do your

9 sewer tiles could be installed?

10 A No. And --

11 Q And --

12 A -- not only no, but I am trying again --

13 MR. PADRON: Objection, Judge.

14 MS. MAGDALENA GOCIMAN: -- it was a scratch not

15 to move to --

16 JUDGE TEAGUE-KINGSLEY: Miss Gociman, let's

17 kind of just answer the questions.

18 MS. MAGDALENA GOCIMAN: Yes. Okay. No.

19 BY MR. PADRON:

20 Q At any point did you ask Tina to upgrade

21 your service line because you were going to put a

22 generator in your home?



1           A     No.

2           MR. PADRON: I have nothing further.

3           JUDGE TEAGUE-KINGSLEY: Okay. Thank you very  
4 much, Mrs. Gociman.

5                     So I think we're done with the  
6 Complainant's case. Now we can turn to Nicor's case.

7                     Mr. Padron, who is your first witness?

8           MR. PADRON: It will be Elliott Ingram.

9           JUDGE TEAGUE-KINGSLEY: And how many witnesses  
10 do you have?

11           MR. PADRON: Three. And I have approximate 11  
12 exhibits which are right there. I apologize, one of  
13 the exhibits is also in his formal complaint, so it's  
14 a duplicate.

15           JUDGE TEAGUE-KINGSLEY: Oh, no problem.

16           MR. PADRON: It's the first exhibit.

17           JUDGE TEAGUE-KINGSLEY: Okay. And these  
18 documents you faxed to --

19           MR. PADRON: I e-mailed to the Gocimans on  
20 Tuesday.

21           JUDGE TEAGUE-KINGSLEY: Okay. Since all of  
22 your witnesses are present, I'll just swear them in

1 all at once.

2 Please raise right hand.

3 (Witnesses sworn.)

4 ELLIOTT INGRAM,

5 called as a witness herein, having been first duly

6 sworn, was examined and testified as follows:

7 DIRECT EXAMINATION

8 BY

9 MR. PADRON:

10 Q Can you please state and spell your name

11 for the record?

12 A First name Elliott, E-l-l-i-o-t-t, last

13 name is Ingram, I-n-g-r-a-m.

14 Q Is it all right I call you Elliott?

15 A Yes.

16 Q Elliott, are you currently employed?

17 A Yes.

18 Q And who are you employed with?

19 A Nicor Gas.

20 Q How long have you been with Nicor Gas?

21 A 24 years.

22 Q And what's your current job title with

1       Nicor?

2           A     Watch protect, operator asset protection.

3           Q     And how long have you had that title?

4           A     Eight months.

5           Q     And as -- this position, what are your

6       responsibilities?

7           A     My current position?

8           Q     Mm-hmm.

9           A     Protect the high profile gas mains that

10       contractors are working around.

11           MR. MIHAIL GOCIMAN:   Can he speak up a little

12       bit because --

13           JUDGE TEAGUE-KINGSLEY:   Can you speak up?

14           THE WITNESS:   State the question again.

15           MR. MIHAIL GOCIMAN:   Use plain English because

16       the technical lingo that Nicor has, I don't

17       understand.

18                       What is his function?   Everything

19       else -- it's Chinese to me.

20           JUDGE TEAGUE-KINGSLEY:   If you have questions,

21       write them down and you'll be able to ask him

22       questions.

1 BY MR. PADRON:

2 Q The question is, what are some of your  
3 responsibilities in a very general sense with the  
4 position you currently have with Nicor?

5 A My responsibilities are to protect high  
6 profile gas mains in Nicor's territory.

7 Q Do you -- currently, in your current  
8 position, do you repair damaged gas mains?

9 A No.

10 Q Okay. Prior to the position that you  
11 currently have now, what was your position?

12 A Prior position was operations mechanic.

13 Q And as a -- how long were you an operations  
14 mechanic?

15 A 23 years.

16 Q Okay. And as an operations mechanic, what  
17 were, again, generally some of your responsibilities?

18 A Responsibilities was to be a first  
19 responder to gas leaks, turn-ones.

20 Q And as a first -- what does that mean, to  
21 be a first responder to a gas leak?

22 A When someone makes a phone call to state

1     that they are smelling gas, to get a gas turned on  
2     for a new residence, I am at the first person that  
3     shows up.

4           Q     Okay. And then as the first person who  
5     shows up, again, generally and briefly, what -- what  
6     are some of the things that you do?

7           A     Being the first person that shows up, I  
8     survey the area to observe the address that I'm going  
9     to, if anyone is working on the property, that's  
10    about it.

11          Q     Okay. Did you actually repair lines as a  
12    first responder?

13          A     Yes. Some lines I do -- at that particular  
14    time, did repair.

15          Q     Okay. As you sit here today, are you  
16    familiar with the events that took place on  
17    July 30th, 2014 at the Gocimans' residence?

18          A     Yes.

19          Q     All right. I'm going to -- I'm showing you  
20    what's been marked as Group Exhibit 2, it's four  
21    photographs. Can you take a quick look at those  
22    photographs for me? Go ahead and thumb through them.

1                   Are you familiar with the scenes that  
2   are portrayed in those photographs?

3           A     Yes.

4           Q     Again, briefly, what do they show?   And you  
5   can go page by page, if you'd like.

6           A     The first page is a picture of me with my  
7   safety hat on and safety vest on.

8           Q     Did your safety hat or your safety vest --  
9   strike that.

10                   Did your safety hat have a Nicor logo  
11   on it?

12          A     Yes, it does.

13          Q     Did your safety vest have a Nicor logo on  
14   it?

15          A     Yes, it does.

16          Q     Okay.   Continue.   You said it's a picture  
17   of you in your safety vest and hat?

18          A     Yes.   On the scene at 5120 Chase where the  
19   contractor was digging and scratched a three-quarter  
20   long side steel surface with the backhoe.

21          Q     So why don't we go to the second page.

22                   What does that show?

1           A     The second page shows the operator with the  
2     backhoe in a dig near a three-quarter steel surface.

3           Q     And what on the grass -- I see some yellow  
4     markings. Can you tell us what those yellow markings  
5     are?

6           A     Yeah, the yellow markings are the locates  
7     of the gas service.

8           Q     Okay. Those locates, would they have been  
9     there prior to the excavator digging?

10          A     Yes.

11          Q     All right. Turn to the third page. What  
12     does that generally show?

13          A     It shows the backhoe in the dig where the  
14     three-quarter steel service is.

15          Q     Okay. The three-quarter steel service, can  
16     you tell us generally which -- because I see a couple  
17     of metallic lines there. Which one is it?

18          A     The three-quarter steel service is the pipe  
19     in the middle that's going in a parallel direction  
20     with the yellow locate mark.

21          Q     All right. So it's essentially then  
22     underneath, for lack of a better term, the yellow

1 markings?

2 A Yes.

3 Q And then what's the other steel pipe or  
4 whatever that is that's running perpendicular to the  
5 service line?

6 A That's shoring. Shoring is used to make  
7 sure that the operating hole doesn't cave in.

8 Q How about the fourth page, can you turn to  
9 that and tell us generally what that is?

10 A 5120 Chase. I see the three-quarter steel  
11 service with the yellow locate marks and the  
12 contractor working inside the hole with shoring.

13 Q Okay. Some do these photographs fairly and  
14 accurately show the scene as it appeared on July 30th  
15 of 2014?

16 A Yes.

17 MR. PADRON: Okay. I would have them -- move  
18 to have them admitted. I don't know if they're all  
19 admitted now or if you are going to do them at the  
20 end, but --

21 JUDGE TEAGUE-KINGSLEY: No, if you want to --

22 MR. MIHAIL GOCIMAN: Can I have an objection?



1 JUDGE TEAGUE-KINGSLEY: Yeah. One second,  
2 you'll be --

3 MR. MIHAIL GOCIMAN: Okay.

4 JUDGE TEAGUE-KINGSLEY: Do you want to do them  
5 each one at time? That makes sense. That's okay.

6 MR. PADRON: Yeah.

7 JUDGE TEAGUE-KINGSLEY: So is there any  
8 objection --

9 MR. MIHAIL GOCIMAN: Yes.

10 JUDGE TEAGUE-KINGSLEY: -- to this exhibit?  
11 What's your objection?

12 MR. MIHAIL GOCIMAN: The objection is that the  
13 witness said that he's coming to a site. When he's  
14 coming to the site, he has obligation to introduce to  
15 the owner --

16 JUDGE TEAGUE-KINGSLEY: No. Your objection is  
17 whether or not you have any objection to these  
18 pictures. That's all --

19 MR. MIHAIL GOCIMAN: The pictures? The  
20 pictures are perfect.

21 JUDGE TEAGUE-KINGSLEY: Okay. Okay.

22 MR. MIHAIL GOCIMAN: Beautiful pictures.

1 JUDGE TEAGUE-KINGSLEY: Yeah, after he  
2 testifies --

3 MR. MIHAIL GOCIMAN: Oh, I'm sorry.

4 JUDGE TEAGUE-KINGSLEY: -- you can ask  
5 questions.

6 MR. MIHAIL GOCIMAN: Oh, I'm sorry. I thought  
7 you said --

8 JUDGE TEAGUE-KINGSLEY: No, no, no problem. So  
9 takes notes as we go along --

10 MR. MIHAIL GOCIMAN: That's fine.

11 JUDGE TEAGUE-KINGSLEY: -- and then you can ask  
12 questions.

13 MR. MIHAIL GOCIMAN: Whatever he's saying is  
14 fine.

15 JUDGE TEAGUE-KINGSLEY: Okay.

16 MR. MIHAIL GOCIMAN: Whatever is in the picture  
17 is fine.

18 JUDGE TEAGUE-KINGSLEY: Respondent's Exhibit  
19 No. 2 is admitted into the record.

20 (Whereupon, Respondent's  
21 Exhibit No. 2 was  
22 admitted into evidence.)

1           MR. PADRON: Thank you.

2   BY MR. PADRON:

3           Q     So do you recall why you were first called  
4     out to the address -- let me see -- I want to make  
5     sure I've got the right address -- 5120 Chase Avenue  
6     in Skokie? Do you remember why you were called out  
7     there?

8           A     Yes.

9           Q     And why were you called out there?

10          A     I was called there on an emergency bore  
11     call. An emergency bore call is someone calls in  
12     stating that a gas line has been bored through, it  
13     could a sewer drain, anything that's underground has  
14     been inserted incorrectly.

15          Q     So is another -- another way to frame that  
16     would be that -- or word that would be the service  
17     line at that address was in direct conflict or even  
18     going through another line or some other line was  
19     going through the Nicor line?

20          A     Yeah. As I recall, the ticket said the  
21     service line was going through a sewer.

22          Q     Okay. When you first arrived at the scene,

1     what did you observe?

2             A     When I got there on the scene, the first  
3     thing I observed was Page 2 of the three-quarter  
4     steel service with the hole exposed and no sewer.

5             Q     Okay. So then was there, in fact, any type  
6     of cross bore?

7             A     No.

8             Q     All right. So once you realize that there  
9     wasn't a cross bore, what happened next?

10            A     Once I realized will wasn't a cross bore, I  
11    examined the gas piping with my company issued  
12    equipment and determined that there wasn't a gas leak  
13    there, but the wrapping on the three-quarter steel  
14    service was damaged.

15            Q     And would that -- would a damaged wrapping  
16    on a service line require Nicor to repair the line?

17            A     Yes. Immediately.

18            Q     Immediately?

19            A     Yes.

20            Q     All right. Did you explain that to the  
21    contractor?

22            A     Yeah. First, I asked him was he the one

1     that did the damage?  And he said, Yes, that he  
2     scraped it with the backhoe that you see here on  
3     Page 2.

4           Q     Did he say why he scrapped it or did he  
5     just say he scraped it?

6           A     No, he scraped it.

7           Q     Okay.  Continue.

8           A     And I told him that I will have a crew come  
9     out to, you know, make the repairs on the wrapping.

10          Q     Okay.

11          A     I told him no more digging until we can get  
12     the job done.

13          Q     Okay.

14          A     After I said that, he immediately -- he  
15     said, no, you guys are going to move it today.  I was  
16     like, Move it today?  And I said, Well, did you call  
17     in the order for us to move service?  And he said,  
18     No, he didn't call for me to -- ask the homeowner.

19          Q     He asked you to ask the homeowner what?  To  
20     move the line?

21          A     If they called Nicor to move the gas line  
22     out the way.

1           Q     Oh, I see. All right. So he -- just so  
2     I've got it straight, so you asked him if he had put  
3     in a call to have the line moved and he said, No.  
4     And then he asked you to ask the owner of the home if  
5     he put in a call to see if he had requested that the  
6     line be moved?

7           A     Yes.

8           Q     Okay. So what did you do at that point?

9           A     When -- he asked me to contact the owner to  
10    see if he put in an order and he said, Well, you  
11    know, the gas line is in the way and you know what's  
12    going to happen if I keep digging here? And then  
13    that's when the verbal altercation started because I  
14    took that as a threat of him intentionally hitting  
15    the gas service, which would put my life in jeopardy,  
16    his life in jeopardy, the Gocimans' life in jeopardy  
17    and the property.

18          Q     Okay. So after he said I'm going to keep  
19    digging, you know what's going to happen, I  
20    understand you guys had an altercation.

21                         What happened next?

22          A     I shut him down. I said, No more digging

1     and that's when, you know, the argument got more  
2     vocal. The next thing I know, Mr. Gociman, he came  
3     from my backside yelling wanting to know what was  
4     going on I asked him who he was.

5             Q     Okay.

6             A     He said he was the homeowner.

7             Q     Okay.

8             A     And I said, Oh, okay. You're the one I  
9     want to talk with and I said, Did you ever, you know,  
10    call Nicor do have the service moved?

11            Q     Okay. What did he say?

12            A     He said, Yes. I just called an hour ago.

13            Q     Okay.

14            A     And I was like, An hour ago? That's why  
15    I'm here. But -- and I said, Well, I'm here for the  
16    emergency of the pipe, you know, being damaged.

17            Q     Okay.

18            A     I need you to call Nicor to put in the  
19    order to have the service moved, someone has to do  
20    it.

21            Q     So Mr. Gociman asked you -- told you that  
22    someone had to move the line?

1           A     Yes.

2           Q     Okay.

3           A     Because he wanted to get the work done that

4     day.

5           Q     Okay.

6           JUDGE TEAGUE-KINGSLEY: I have a question.

7                     EXAMINATION

8                     BY

9                     JUDGE TEAGUE-KINGSLEY:

10          Q     I thought you just testified that you told

11     him he needed to call Nicor to have the pipe moved?

12          A     Mr. Gociman?

13          Q     Yeah.

14          A     Yeah.

15          Q     Because somebody had to call.

16          A     Someone had to -- because the contractor

17     basically said that he wasn't responsible --

18          Q     Yeah.

19          A     To notify the homeowner.

20          Q     Right. But then a few minutes ago, I

21     thought you just said he told you that he called.

22          MR. PADRON: I think Mr. Ingram asked



1 Mr. Gociman if he had called.

2 THE WITNESS: Yeah.

3 JUDGE TEAGUE-KINGSLEY: Oh, okay.

4 BY JUDGE TEAGUE-KINGSLEY:

5 Q You didn't direct him to call. You asked  
6 him if he had called?

7 A Right. Asked him, did he call.

8 MR. MIHAIL GOCIMAN: Your Honor, this is  
9 coaching. This is coaching what he's doing right  
10 now --

11 JUDGE TEAGUE-KINGSLEY: No. No. No.

12 MR. MIHAIL GOCIMAN: -- because he's directing  
13 the witness.

14 JUDGE TEAGUE-KINGSLEY: He's just clarifying.

15 MR. MIHAIL GOCIMAN: He's directing the  
16 witness.

17 JUDGE TEAGUE-KINGSLEY: No, I just asked a  
18 question and then he clarified --

19 MR. MIHAIL GOCIMAN: It's not fair.

20 JUDGE TEAGUE-KINGSLEY: In the future, if I ask  
21 him a question, then let him just answer it, but you  
22 just clarified...

1 (Discussion off the record.)

2 FURTHER DIRECT EXAMINATION

3 BY

4 MR. PADRON:

5 Q All right. So you asked Mr. Gociman if he  
6 had called Nicor to have the line relocated. He told  
7 you he did an hour ago and then pick up from there.

8 A He said, I called an hour ago for someone  
9 to come out and I said, Okay, that's me coming out,  
10 you know, responding to your initial call and I said,  
11 Well, you know, we're going to repair the broken  
12 wrapping on the three-quarter service, but you have  
13 to call in a special order to have the service moved.

14 Q All right.

15 A And he was saying, Well, I want it done  
16 today. I pay my bills on time. I need it done  
17 today. Get off of my property.

18 Q And when he said he needed it done today,  
19 he was referring to relocating the service line?

20 A Yeah, to relocate the service and the  
21 reason why I was telling him that he needs to call  
22 Nicor to have it moved because there is a charge that

1 goes with moving the service.

2 JUDGE TEAGUE-KINGSLEY: Did you tell him that?

3 THE WITNESS: Yes, ma'am.

4 JUDGE TEAGUE-KINGSLEY: You told him there's a  
5 cost?

6 THE WITNESS: There is cost. I didn't know  
7 what the cost --

8 JUDGE TEAGUE-KINGSLEY: You told him it's going  
9 to cost him?

10 THE WITNESS: Yes.

11 JUDGE TEAGUE-KINGSLEY: And what did he say, if  
12 you can recall?

13 THE WITNESS: He -- like fine, I pay my bills.  
14 Get off my property.

15 BY MR. PADRON:

16 Q I'm going to hand you what's been marked as  
17 Exhibit No. 3. Would you take a quick look at that?  
18 It's two pages.

19 Are you familiar with this exhibit?

20 A Yes.

21 Q Who made the exhibit?

22 A I did.

1           Q     And was it made at or near the time of the  
2     events that occurred on July 30th, 2014?

3           A     Yes.

4           Q     Was it created on July 30th, 2014?

5           A     Yes.

6           Q     Is this exhibit the regular practice of  
7     Nicor to complete a report like this when a situation  
8     arises like the one that arose on July 30th, 2014?

9           A     Yes.

10          Q     And is this report kept in the course of a  
11     regularly conducted business activity at Nicor?

12          A     Yes.

13          MR. PADRON:   Okay.   I'd seek to have the report  
14     admitted into evidence.

15          JUDGE TEAGUE-KINGSLEY:   Is there any objection  
16     to having this document admitted into evidence?

17          MR. MIHAIL GOCIMAN:   I'd love to have it.   Yes.

18          MS. MAGDALENA GOCIMAN:   You know what?   We  
19     have -- you know why?

20          MR. PADRON:   Object- --

21          MR. MIHAIL GOCIMAN:   No.   No.

22          JUDGE TEAGUE-KINGSLEY:   I --

1           MR. MIHAIL GOCIMAN:  Yes, yes, we do.  That's  
2  what I'm saying.  I'd love this one to have it.

3           JUDGE TEAGUE-KINGSLEY:  We'll admit --

4           MR. MIHAIL GOCIMAN:  Yes.

5           JUDGE TEAGUE-KINGSLEY:  -- this document --

6           MR. MIHAIL GOCIMAN:  Absolutely.

7           JUDGE TEAGUE-KINGSLEY:  -- in the record.

8           MR. MIHAIL GOCIMAN:  Yes.

9                               (Whereupon, Respondent's  
10                             Exhibit No. 3 was  
11                             admitted into evidence.)

12  BY MR. PADRON:

13           Q     So why don't you tell us what is the  
14  exhibit and -- generally, what is it?

15           A     This is a report that I submitted.  
16  Whenever there is damage to gas piping we have to,  
17  you know, submit a report the same day.

18           Q     Okay.  And what does the report -- you  
19  already testified that you were the one who completed  
20  the report.

21                             What does the report generally state?

22           A     It's stating the time the call came in, the

1 town, the meter number that's associated with the  
2 address, 5120 Chase, and also my comments that I put  
3 in concerning sewer, plumbing, three-quarter steel  
4 service.

5 Q You know what, why don't you just -- if you  
6 can quickly and then we'll be done, just read your  
7 comments into the record.

8 A Okay. Contractor Edgar Sewell Plumbing  
9 called in a troubled cross bore. Upon arrival,  
10 three-quarter steel service was never cross bored.  
11 Contractor wanted service moved and scraped it with  
12 backhoe. Told contractor and customer we will fix  
13 the damaged piping and that they have to call  
14 projects to order a service reroute. Argument  
15 occurred between myself, customer and contractor.  
16 The customer kicked me off his property. Shortly  
17 later, police -- Skokie Police arrived. I don't know  
18 who called. I was never asked what my name was by  
19 Skokie Police Department. The contractor and  
20 customer were rude, refused to listen to the  
21 competent person on site, which was me, accused me of  
22 being confrontational and ignorant. Upon my

1 departure from the site, a maintenance crew was on  
2 the site making necessary repairs.

3 Q Okay. You already testified that you  
4 informed Mr. Gociman that there would be a cost  
5 involved with relocating the service line. Did he  
6 acknowledge the fact that you told him there would be  
7 a cost involved?

8 A He said he paid his bills on time, whatever  
9 it is. I just want the job to get done and get off  
10 my property.

11 MR. PADRON: Okay. Nothing further, Judge.

12 JUDGE TEAGUE-KINGSLEY: Okay. Let's take a  
13 break. I've got to figure out -- this went a little  
14 bit longer than I anticipated.

15 (Break taken.)

16 JUDGE TEAGUE-KINGSLEY: Let record reflect that  
17 we took a short break to switch rooms. And before we  
18 left out, Mr. Ingram, you were completing --  
19 Mr. Padron was completing his direct.

20 MR. PADRON: Yeah, I think I'm done.

21 JUDGE TEAGUE-KINGSLEY: You're done?

22 MR. PADRON: Yeah.

1 JUDGE TEAGUE-KINGSLEY: Okay. And we had  
2 admitted Exhibits 2 and 3?  
3 MR. PADRON: Correct.  
4 JUDGE TEAGUE-KINGSLEY: Okay. Mr. Gociman, do  
5 you have any questions?  
6 MR. MIHAIL GOCIMAN: Yes, I do.  
7 CROSS-EXAMINATION  
8 BY  
9 MR. MIHAIL GOCIMAN:  
10 Q First of all, I understood his credentials,  
11 Mr. Elliott, and even right now, his name is not that  
12 familiar with me because I'm asking, is not a normal  
13 procedure for whoever, utility company or whatever is  
14 coming to somebody else's property to introduce  
15 themselves?  
16 MR. PADRON: Objection. Relevance.  
17 JUDGE TEAGUE-KINGSLEY: Yeah. What's your  
18 question for the witness?  
19 MR. MIHAIL GOCIMAN: Because he said he  
20 talked -- he introduced to me. He never introduced  
21 to me.  
22 JUDGE TEAGUE-KINGSLEY: Okay. But your



1 question is you want to know is that your policy --

2 MR. MIHAIL GOCIMAN: Yes. He never introduced

3 to me.

4 JUDGE TEAGUE-KINGSLEY: So let him --

5 MR. MIHAIL GOCIMAN: First question.

6 JUDGE TEAGUE-KINGSLEY: No, let him answer that

7 one.

8 MR. PADRON: Same objection.

9 MR. MIHAIL GOCIMAN: Good.

10 JUDGE TEAGUE-KINGSLEY: I'm going to overrule

11 it. I just want to know what the policy is.

12 THE WITNESS: That is incorrect. Prior to

13 introducing myself to you, you were directly behind

14 me yelling at me.

15 JUDGE TEAGUE-KINGSLEY: No, no, sir. I think

16 the question is a very specific one. He just wants

17 to know if it's Nicor policy if you go to a property

18 if you introduce yourself to the homeowner.

19 Is that your question?

20 MR. MIHAIL GOCIMAN: Yes, ma'am.

21 THE WITNESS: I normally do that.

22 JUDGE TEAGUE-KINGSLEY: You normally do. Okay.

1     What's your next question?

2     BY MR. MIHAIL GOCIMAN:

3             Q     The next question is talking about Exhibit

4     No. 2, Mr. Elliott is saying that the logo of Nicor

5     was all over the place. He didn't introduce himself,

6     so I have to guess that --

7             JUDGE TEAGUE-KINGSLEY: Don't testify. Just

8     ask the question.

9     BY MR. MIHAIL GOCIMAN:

10            Q     Yeah. Where is the logo?

11            JUDGE TEAGUE-KINGSLEY: Are you going to

12     object?

13            MR. PADRON: Yeah. What's -- relevance.

14            JUDGE TEAGUE-KINGSLEY: You want to rephrase

15     your question? You want to ask him if he --

16            MR. MIHAIL GOCIMAN: Never --

17            JUDGE TEAGUE-KINGSLEY: No, don't testify.

18     Just -- do you -- is your question that you want to

19     know if he had a logo on his jacket?

20            MR. MIHAIL GOCIMAN: He doesn't show --

21            JUDGE TEAGUE-KINGSLEY: Sir, sir, Mr. Gociman,

22     this has gone over and I understand that you're not

1 an attorney and this is pro se, but the very specific  
2 question -- you can't testify. You need to just ask  
3 him a question. So I understand that you --

4 MR. MIHAIL GOCIMAN: Okay. I'll phrase.

5 JUDGE TEAGUE-KINGSLEY: -- don't think the  
6 picture shows it --

7 MR. MIHAIL GOCIMAN: When he show up on my  
8 property, was he wearing any logos of Nicor?

9 MR. PADRON: He's still testifying.

10 JUDGE TEAGUE-KINGSLEY: No. He said, Was he  
11 wearing. That's your -- you were asking a question,  
12 was he wearing?

13 MR. MIHAIL GOCIMAN: Yes. Any place on his  
14 body.

15 JUDGE TEAGUE-KINGSLEY: He asked the question,  
16 when he came to his property, did he have a logo?

17 MR. PADRON: That's been asked and answered,  
18 but go ahead.

19 THE WITNESS: Yeah. On top of my hardhat, the  
20 Nicor emblem is directly on top of it and on the back  
21 of my safety vest and my ID is underneath my vest.

22 JUDGE TEAGUE-KINGSLEY: Okay. And you had that

1     on that day?

2             THE WITNESS:   Mm-hmm.

3             JUDGE TEAGUE-KINGSLEY:   Okay.   What's your next

4     question?

5             MR. MIHAIL GOCIMAN:   I am not satisfied it's

6     not on the picture.

7             JUDGE TEAGUE-KINGLSEY:   No.   That's just a

8     question.

9             MR. MIHAIL GOCIMAN:   It's a long report.   I

10    want -- why in this report is he's not mentioning

11    anything about me paying for the work.

12            JUDGE TEAGUE-KINGSLEY:   You want to know why --

13            MR. MIHAIL GOCIMAN:   What --

14            JUDGE TEAGUE-KINGSLEY:   Okay.

15            MR. MIHAIL GOCIMAN:   He has the whole page.

16            JUDGE TEAGUE-KINGSLEY:   Okay.

17            MR. PADRON:   I think the question is, was there

18    any reason in your report why you didn't include that

19    you told Mr. Gociman that he was going to have to

20    have to pay for the work done on his property?

21            THE WITNESS:   That report was made to identify

22    what occurred there and the damages.

1 JUDGE TEAGUE-KINGSLEY: If I can follow up, I  
2 know you're asking questions, but since you said this  
3 is to record what occurred and you said that you  
4 wanted him to call because there is a cost. I am  
5 curious why you didn't include that? Well, you  
6 answered it. Answer it.

7 THE WITNESS: Answer it?

8 JUDGE TEAGUE-KINGSLEY: Yes.

9 THE WITNESS: On that report there, that was  
10 just for me to report, you know, the time that I was  
11 there, what happened there, then with the charges,  
12 that's something that's not part of my department to  
13 tell people what the charges may be, I just give them  
14 a verbal to let them know that there is going to be  
15 some charges to this, they need to call to get  
16 verified.

17 JUDGE TEAGUE-KINGSLEY: So is it your practice  
18 when there is a charge and you told the consumer, do  
19 you normally put that in this report?

20 THE WITNESS: No.

21 JUDGE TEAGUE-KINGSLEY: Okay. What's your next  
22 question?

1           MR. MIHAIL GOCIMAN:   You know, what --

2           MS. MAGDALENA GOCIMAN:   Can I ask something?

3           MR. MIHAIL GOCIMAN:   No.

4           JUDGE TEAGUE-KINGSLEY:   No.   You --

5           MS. MAGDALENA GOCIMAN:   -- practice of Nicor --

6           JUDGE TEAGUE-KINGSLEY:   -- miss Gociman --

7           MR. MIHAIL GOCIMAN:   I am --

8           JUDGE TEAGUE-KINGSLEY:   -- we are running

9   over --

10          MR. MIHAIL GOCIMAN:   My question is very clear.

11   If you want, we can take a side bar.

12          JUDGE TEAGUE-KINGSLEY:   No, I just want you to

13   ask your questions.   No more testimony.

14          MR. MIHAIL GOCIMAN:   Why he's not -- he's

15   mentioning about everything else --

16          JUDGE TEAGUE-KINGSLEY:   No --

17          MR. MIHAIL GOCIMAN:   -- but not the dollars.

18          JUDGE TEAGUE-KINGSLEY:   He just answered that

19   question.   So give me another question.

20          MR. MIHAIL GOCIMAN:   Why didn't he provide the

21   report?

22          JUDGE TEAGUE-KINGSLEY:   He just answered it.

1 He said that he doesn't normally put that in the  
2 report.

3 So what's your next question?

4 MR. MIHAIL GOCIMAN: In his deposition, he said  
5 I called Nicor. Why is he saying the contractor  
6 called Nicor? There is a discrepancy between his  
7 deposition and what -- everything he first phrased.

8 JUDGE TEAGUE-KINGSLEY: Okay. Just no  
9 testimony. Just a question.

10 MR. MIHAIL GOCIMAN: Yes.

11 JUDGE TEAGUE-KINGSLEY: So you want to know...

12 THE WITNESS: What is the question? I need a  
13 direct question.

14 MR. MIHAIL GOCIMAN: I did ask a direct  
15 question. He's saying clearly.

16 JUDGE TEAGUE-KINGSLEY: So your question is,  
17 why doesn't this report indicate that you called?

18 MR. MIHAIL GOCIMAN: No. The report doesn't  
19 match his deposition and in front of your Honor.

20 JUDGE TEAGUE-KINGSLEY: No, but what's your  
21 question? That's an observation. What's your  
22 question?

1           MR. MIHAIL GOCIMAN: The question -- the main  
2 question for me is the way it is -- I mentioned the  
3 questions -- they answered all of them, they are not  
4 satisfying --

5           JUDGE TEAGUE-KINGSLEY: Okay. So you don't  
6 have any more questions for him?

7           MR. MIHAIL GOCIMAN: Yeah, I ask him and he  
8 said no. I ask if I have a copy of this one.

9           MS. MAGDALENA GOCIMAN: If they provide a copy  
10 of the report.

11          MR. MIHAIL GOCIMAN: I just received the copy.

12          JUDGE TEAGUE-KINGSLEY: No, what is your  
13 question? You're saying you've never received this?

14          MR. MIHAIL GOCIMAN: No.

15          JUDGE TEAGUE-KINGSLEY: Okay. Well, what is  
16 your question?

17          MR. MIHAIL GOCIMAN: That's all. Nothing else.  
18 I'm stopping here because we are going nowhere.

19          JUDGE TEAGUE-KINGSLEY: Well, here's a  
20 question: Did you provide this to the homeowner?  
21 And if not, is it customary to provide this?

22          THE WITNESS: No. That paperwork is directly



1 from the Nicor office that I got that from to fill it  
2 out and turn it into my supervisor and so the  
3 customer has no access to that paperwork.

4 JUDGE TEAGUE-KINGSLEY: Okay. So it's an  
5 internal --

6 THE WITNESS: Yes.

7 JUDGE TEAGUE-KINGSLEY: -- reporting of what  
8 occurred --

9 THE WITNESS: Yes.

10 JUDGE TEAGUE-KINGSLEY: -- during the visit?

11 THE WITNESS: Yes.

12 JUDGE TEAGUE-KINGSLEY: Okay. Any more  
13 questions.

14 MR. MIHAIL GOCIMAN: No.

15 JUDGE TEAGUE-KINGSLEY: Your next witness.

16 Thank you, you're done.

17 MR. PADRON: The next witness will be Tina  
18 Marquez-Smith.

19  
20  
21  
22

1                   TINA MARQUEZ-SMITH,  
2     called as a witness herein, having been previously  
3     duly sworn, was examined and testified as follows:  
4                   DIRECT EXAMINATION  
5                   BY  
6                   MR. PADRON:  
7           Q     Could you please state and spell your name  
8     for the record?  
9           A     It's Tina Marquez-Smith, T-i-n-a,  
10    M-a-r-q-u-e-z, hyphen, S-m-i-t-h.  
11          Q     Is it all right if I call you Tina?  
12          A     Yes.  
13          Q     Tina, are you currently employed?  
14          A     Yes, I am.  
15          Q     And who are you employed with?  
16          A     Nicor Gas.  
17          Q     And how long have you been with Nicor?  
18          A     22 years.  
19          Q     And what's your current position with  
20    Nicor?  
21          A     Field supervisor.  
22          Q     And how long have you had the position of

1 field supervisor?

2 A Two years.

3 Q What are -- generally and briefly, what are  
4 some of your responsibilities as a field supervisor?

5 A I supervise our union employees and  
6 maintain -- or help my employees maintain our system.

7 Q Okay. As a field supervisor, do you  
8 normally go out on a job?

9 A Sometimes. Not all the time.

10 Q When do you go?

11 A If there's an emergency like a hit gas main  
12 or if we're having an altercation with a customer or  
13 a contractor.

14 Q Okay. And prior to your current position  
15 as a field supervisor, what was your position with  
16 Nicor?

17 A I was a scheduler.

18 Q And what does that mean?

19 A I would schedule workload for our field  
20 employees.

21 Q Okay. Would that also involve working on  
22 or some how being related to hit lines and that sort

1 of thing?

2 A Yeah. I mean, it's just scheduling the  
3 work for the field. So I was in an office  
4 environment at that time.

5 Q Okay. I am handing you what's been marked  
6 as Exhibit No. 4. It's a two-page exhibit. Could  
7 you take a quick look at that?

8 Are you familiar with the exhibit?

9 A Yes.

10 Q Could you tell us who made it?

11 A I did. It's a time line.

12 Q Was it made at or near the time of the  
13 events that occurred on July 30th, 2014?

14 A Yes.

15 Q And as you sit here today, do you recall  
16 was it authored on July 30th, 2014?

17 A Yes.

18 Q Is this the regular practice of Nicor to  
19 complete a report like this when a situation arises  
20 like the one that arose on 7/30/2014 at the Gociman  
21 residence?

22 A Yes.

1           Q     And is this report kept in the course of a  
2 regularly conducted business of Nicor?

3           A     Yes.

4           MR. PADRON:   I'd seek to have it admitted your  
5 Honor.

6           JUDGE TEAGUE-KINGSLEY:   Is there any objection  
7 as to the admission of this exhibit?

8           MR. MIHAIL GOCIMAN:   Yes.

9           JUDGE TEAGUE-KINGSLEY:   Okay.   What's your  
10 objection?

11          MR. MIHAIL GOCIMAN:   This report can be made  
12 any time any place, anywhere, it doesn't have any  
13 logo.   It's not showing it's a Nicor document.   This  
14 is not Nicor document it's a personal document.

15          MR. PADRON:   It's got the date on there.

16          MR. MIHAIL GOCIMAN:   It doesn't mean -- it's  
17 not Nicor documented.   It doesn't have the Nicor  
18 logo, nothing.

19          MS. MAGDALENA GOCIMAN:   Registration.

20          MR. MIHAIL GOCIMAN:   Registration, whatever.  
21 There's nothing.

22          JUDGE TEAGUE-KINGSLEY:   And you testified this

1 is completed in the ordinary course of your --  
2 ordinary course of business you fill these out?

3 THE WITNESS: Yeah. It's a time line what we  
4 do when we have -- when we have altercations with  
5 customers, contractors, things like that.

6 MR. PADRON: She testified as to who drafted  
7 it, when it was drafted. The proper foundation has  
8 been laid.

9 JUDGE TEAGUE-KINGSLEY: Yeah. I'm going to  
10 overrule the objection and let it in.

11 MS. MAGDALENA GOCIMAN: Can I say something?  
12 Because I wrote --

13 JUDGE TEAGUE-KINGSLEY: Can you use your  
14 microphone so that the court reporter can pick up  
15 what you're saying? But right now, there's no more  
16 testimony --

17 MS. MAGDALENA GOCIMAN: It's regarding this.

18 JUDGE TEAGUE-KINGSLEY: It's just asking -- no,  
19 but this just about the document, whether or not it  
20 goes in the record. When this is completed and you  
21 draft your --

22 MR. MIHAIL GOCIMAN: Your Honor, you know what,

1 I'm sorry to interrupt, we made --

2 MS. MAGDALENA GOCIMAN: We --

3 JUDGE TEAGUE-KINGSLEY: I understand your

4 objection. He laid a foundation for it --

5 MR. MIHAIL GOCIMAN: It's irrelevant.

6 JUDGE TEAGUE-KINGSLEY: -- that this was

7 prepared in the ordinary course of business. You can

8 challenge if you believe it's accurate or not, but

9 I'm going to admit it into the record. Okay?

10 (Whereupon, Respondent's

11 Exhibit No. 4 was

12 admitted into evidence.)

13 MR. MIHAIL GOCIMAN: Fine. It's done.

14 BY MR. PADRON:

15 Q Okay. Tina, how were you made aware of the

16 altercation or situation at the Gociman residence on

17 July 30th, 2014?

18 A I got a call on my phone from Elliott

19 stating that he needed a supervisor out here because

20 he was having an altercation with the customer and

21 the contractor and he needed a maintenance crew out

22 here to make repairs on the three-quarter steel

1 service.

2 Q Okay. When you arrived at the location,  
3 can you tell us briefly and generally what occurred  
4 when you first got there?

5 A When I arrived, I saw Elliott and he was by  
6 his truck and then he kind of just gave me a brief  
7 overview of what was going on and then I went and  
8 talked to the contractor which was the owner, Edgar  
9 or Sewell -- anyway, we -- he was telling me -- kind  
10 of giving me his side of the story.

11 Q When you say "his side of the story," is  
12 that the contractor --

13 A Well, what happened and he -- basically he  
14 stated that Elliott was not being cooperative and  
15 then he told me that --

16 Q Real quick, the "he" is who? Who is "he"  
17 when you say "he"?

18 A Edgar.

19 Q Edgar, okay. Thank you.

20 A Sorry about that.

21 So once I got all that, the customer  
22 came out, Mr. Gociman came out, and I went up and



1     talked to him. I introduced myself to him and then  
2     he was hostile pretty much. I mean, like he was in  
3     my face.

4           Q     Okay. Real quick, before we get into the  
5     conversation that you had with the Gocimans, at  
6     the -- near the top, the third line down on Exhibit 4  
7     it says, Trouble order and then it's got a number on  
8     there, 0049840318?

9           A     Right.

10          Q     Could you tell us what that means?

11          A     This number is just -- it's a reference  
12     number. It's our activity number in our system. So  
13     when we need to look something up or -- we can refer  
14     to this number and it will bring us to that ticket,  
15     this specific ticket and then it will show comments  
16     on what kind of ticket it was, when it was created,  
17     when it was dispatched. So it gives us all kinds of  
18     information like that.

19          Q     All right. So -- I'm going to show you  
20     what's been marked as Exhibit 5.

21          A     Okay.

22          Q     Could you take a quick look at that? It's

1 a two-page exhibit and then let me know when you've  
2 looked at it.

3 A Okay. So this --

4 Q Hold on.

5 Are you familiar with the exhibit?

6 A Yes.

7 Q And who made the exhibit?

8 A Who made the?

9 Q Yeah. Who actually -- how is the exhibit  
10 made?

11 A What happens, it's a trouble order. It's  
12 what we call a trouble order. So when -- in this  
13 case, whoever called the gas company called and  
14 stated what their problem was and this is -- it's a  
15 cross bore ticket is what it is, trouble order cross  
16 bore, so those are emergencies.

17 Q So is this made by someone at Nicor?

18 A Yes. It's made by our dispatcher. It's  
19 created by our dispatcher and then it gets dispatched  
20 out to the first responder.

21 Q Okay. And was the report made at or near  
22 the time of the events that occurred on July 30th,

1       2014?

2           A     Yes.

3           Q     And is this the regular practice of Nicor

4       to complete a report when a situation arises like the

5       one that arose on July 30th, 2014?

6           A     Yes.

7           Q     And is this report kept in the course of a

8       regular conducted business activity at Nicor?

9           A     Yes.

10          MR. PADRON: All right. I would also seek to

11       have Exhibit 5 entered.

12          JUDGE TEAGUE-KINGSLEY: Is there any objection,

13       Mr. Gociman, to this exhibit?

14          MR. MIHAIL GOCIMAN: No.

15          JUDGE TEAGUE-KINGSLEY: Then Exhibit 5 is

16       admitted into the record.

17          MR. PADRON: Thank you.

18                       (Whereupon, Respondent's

19                       Exhibit No. 5 was

20                       admitted into evidence.)

21       BY MR. PADRON:

22          Q     So in your report labeled Exhibit 4, the

1     trouble you are referring to Exhibit 5; is that  
2     correct?

3             A     Yes.

4             Q     Okay.  So now -- you spoke about -- you  
5     were beginning to speak about the conversation you  
6     had with Mr. Gociman.

7                     Could you, if possible, take us  
8     through step by step what was the first thing that  
9     you remember him telling you?

10            A     When I arrived?

11            Q     When you arrived, yes.

12            A     When I arrived, Mr. Gociman approached me,  
13     so we kind of met face to face, so he was aggressive,  
14     and I tried to talk to him to say, okay, this is what  
15     we need to do because our service was in conflict  
16     with their tile that they were installing.

17            Q     And how did you know that the Nicor service  
18     was in conflict with the drainage tile that they were  
19     installing?

20            A     Well, just by the size of the hole, it was  
21     huge and deep and I saw the tile that was sitting off  
22     to the side, so it was going to be in conflict with

1       them and they knew that --

2               Q     Did anyone --

3               A     -- the contractor knew that.

4               Q     Did anyone -- did the contractor tell you

5       that the line was in conflict?

6               A     Yes.

7               Q     Okay. Did Mr. Gociman tell you the line

8       was in conflict?

9               A     Yes.

10              Q     Okay.

11              A     And then he -- they wanted it move, he

12       wanted it move.

13              JUDGE TEAGUE-KINGSLEY: Mr. Gociman

14       specifically said --

15              THE WITNESS: Yes.

16              JUDGE TEAGUE-KINGSLEY: -- he wanted it moved?

17              THE WITNESS: Because he stated that he was not

18       going to pay the contractor another day to come and

19       work on his property. So he needed the service moved

20       out of the way so they could do their work.

21       BY MR. PADRON:

22              Q     All right. And when Mr. Gociman asked that

1 the service line be moved, what was your response?

2 A I told him that there's a procedure that we  
3 go through, which he would have it talk to our  
4 service rep, Maria Gall (phonetic) and she --

5 JUDGE TEAGUE-KINGSLEY: Wait. When you say  
6 "she," are you talking about Miss Gociman or Mrs. --

7 THE WITNESS: No. No. I was telling  
8 Mr. Gociman because at this time, it's just him and  
9 I.

10 JUDGE TEAGUE-KINGSLEY: Okay.

11 THE WITNESS: And then I informed him that we  
12 have a procedure where -- when you need your service  
13 moved out of the way or when you need it rerouted --  
14 in this case, which it needed to be rerouted -- they  
15 need to talk to a service rep in our company and then  
16 that way she assesses the job and then she can  
17 determine the cost and all --

18 JUDGE TEAGUE-KINGSLEY: You mentioned cost to  
19 him?

20 THE WITNESS: Yes, I did. I mentioned it --  
21 first of all, he was pretty upset, so -- and I was  
22 trying to calm him down. So once I explained all

1     that, I said, Well, we need to get a hold of Maria.  
2     So we -- I wasn't able to get a hold of her, but I  
3     wanted to diffuse the whole situation. So I said,  
4     okay, I tell you what, we're going to move it, but  
5     it's going cost you. It's going to cost money to  
6     move the service out of the way because of this tile  
7     going into the ground.

8             JUDGE TEAGUE-KINGSLEY: You said explicitly,  
9     This is going to cost you?

10            THE WITNESS: Yes. And then he said -- and I  
11     looked at him in the eyes and I said, It's going to  
12     cost you and then he said, That's fine, I need this  
13     had job done today. I'm not going to pay the  
14     contractor. I know he said, I pay my bills, but he  
15     said, Let's take care of this.

16     BY MR. PADRON:

17            Q     Tina, did you reflect the fact that you  
18     informed Mr. Gociman that he was going to have to pay  
19     for the cost of relocating the line in Exhibit 4?

20            A     Yes.

21            Q     And -- so he acknowledged that he had to  
22     pay; correct?

1           A     Yes.

2           Q     And was this outside the home or inside the  
3     home?

4           A     No, we were outside. We were standing in  
5     front.

6           Q     All right. So after he acknowledged that  
7     he was going to have to pay, what happened next?

8           A     After that, then he had agreed. He says as  
9     far as the -- I'm sorry, as far as like moving the  
10    service out of the way -- and explained to him what  
11    was going to happen, that we would have to call the  
12    three-quarter steel service out of the way and then  
13    run a temporary line to get him gas for the evening  
14    but we were going to come back and replace the  
15    service.

16          Q     When?

17          A     The next day.

18          Q     Okay. And was that outside the home?

19          A     Yes.

20          Q     All right. What happened next? After you  
21    explained to him that you would set up a temporary  
22    service and come back the next day to set up a



1 permanent service, what happened next?

2 A So then I -- then his wife came out and we  
3 were -- she was upset, too, but then we started  
4 talking and then I -- the service line was inside the  
5 meter. The meter was inside the home, so I asked to  
6 come in to see the meter because it was going to have  
7 to get moved out.

8 Q And why was going to have to be moved out?

9 A Because it's a three-quarter steel service  
10 and it's what we call a down and under so that's --  
11 the original three-quarter steel service goes through  
12 the foundation under the ground and then comes into  
13 the home. Well, if you -- to reroute the service, we  
14 were going to replace whole service, so we would have  
15 to move the meter out in order to run the new  
16 service.

17 Does that make sense?

18 Q It does to me.

19 So your telling us that with the new  
20 service that was going to be installed, you had to --  
21 you had in choice, but you had to put the meter --

22 A Outside.

1           Q     -- outside?

2           A     Yes.  And then in that process when we were  
3     going through the basement and I was looking at  
4     the -- because they had it in a little closet and  
5     then -- so I was explaining to them what -- how we  
6     were going to move out and how we were going to pipe  
7     it back outside, Mrs. Gociman had mentioned about --  
8     that they were going to install a generator and I  
9     said, Well, I go -- and we were going to replace the  
10    service with half-inch plastic and then I said with a  
11    generator, it would be a one-inch plastic.  So then  
12    she was, We're, going to install a generator in the  
13    future and to avoid doing this again, can we just go  
14    with the upgrade?  And then that's where I stated, We  
15    can do that, I go, but it's still -- with all the  
16    time, it's going to cost to have that done, going  
17    from a half-inch to a one inch.

18          Q     So what you're saying is that Mrs. Gociman  
19    requested that the service be upgraded to a one-inch  
20    service?

21          A     For future -- for a future generator, yes.

22          Q     And when you --

1           MR. MIHAIL GOCIMAN:   Can I object?

2           JUDGE TEAGUE-KINGSLEY:   No.

3           MR. MIHAIL GOCIMAN:   No?

4           JUDGE TEAGUE-KINGSLEY:   You can ask questions  
5   about it after she finishes.

6   BY MR. PADRON:

7           Q     After you informed them of the cost that  
8   they were to incur with the upgrade to the one-inch  
9   service line, what did they say?

10          A     They didn't -- they just said that's fine  
11   because they kept saying we pay our bills and we need  
12   this done today.  They needed their tile in the  
13   ground that day.

14          Q     Okay.  Was anything else said after they  
15   acknowledged that there was going to be a cost for  
16   the upgrade to the one-inch service?

17          A     No.  No.  There wasn't.  And then my crew  
18   showed up to cut the service out -- out of the way  
19   and run a temporary line so Edgar Sewell could finish  
20   doing their work.

21          Q     Did you at any point on the 30th of  
22   July 2014 speak with Elliott Ingram about what

1 occurred out there at that residence?

2 A Yes.

3 Q And what did Elliott indicate to you?

4 A He stated to me that when he pulled up  
5 there, he was explaining to the contractor about what  
6 was going to -- like, what they did and the  
7 contractor pretty much stated, well -- it's quoted  
8 here -- I've been doing this for 30 years and I know  
9 you guys will always come out and move it.

10 Q So did you record the conversation that you  
11 had with Elliott Ingram on the report that you  
12 completed on July 30th, marked as Exhibit 4?

13 A Yes.

14 Q Did Elliott indicate to you whether or not  
15 he informed the Gocimans that they were going to have  
16 to pay for the relocation of the line?

17 A Yes.

18 Q Is it Nicor's -- strike that.

19 What is the procedure normally to move  
20 a line?

21 A For a Nicor customer, if they want their  
22 gas line moved or rerouted because they're doing some

1 work, like in this case, they call Nicor stating what  
2 they need done and then they get transferred to a  
3 service rep and then a service rep makes contact with  
4 the customer and meets the customer so they can  
5 discuss what needs to happen, what kind of work they  
6 need to do and then the service rep will state, okay,  
7 this is what we need to do as far as like its cost,  
8 things like that, and then it gets -- once they make  
9 the appointment with that customer, they set a date  
10 of when they want their work done and then they --  
11 that comes to me as far as an appointment and then I  
12 send my crew out there to do it.

13 Q So had any of that -- any of that process  
14 to relocate a line taken place prior to July 30th,  
15 2014?

16 A No.

17 Q And did you inform the Gocimans that -- of  
18 the process that was required to relocate the line?

19 A Yes. And that was with Mr. Gociman  
20 because, again, Mrs. Gociman wasn't there right away.

21 Q That was outside the home?

22 A That was outside and she came out a little

1 bit later, but our conversation was just between me  
2 and Mr. Gociman.

3 Q And you already stated that it was  
4 Mr. Gociman's request that you relocate the line  
5 right away; correct?

6 A Correct.

7 Q Why -- strike that.

8 Did you agree to relocate the line  
9 pursuant to his request at that time?

10 A After we went back and forth a little bit,  
11 yes, I did ultimately because I wanted to diffuse the  
12 situation and I wanted to help them out, basically,  
13 because I knew -- I mean, I get it, I get that it  
14 costs money to do that, so I was, in turn, to help  
15 them out, but I also stated that it's not our  
16 procedure to do this. We don't do this normally, but  
17 since we were here and I was trying to diffuse the  
18 situation with him because he was aggressive with me  
19 to the point where I had to ask him, Can you let me  
20 talk? And then, you know, and then try to explain to  
21 him again what we needed to do and, again, repeatedly  
22 kept telling him, it's going to cost if you want this

1 service moved out of the way to get your tile into  
2 the ground.

3 JUDGE TEAGUE-KINGSLEY: Can I ask a quick  
4 question?

5 MR. PADRON: Sure.

6 JUDGE TEAGUE-KINGSLEY: I know you said there  
7 is a procedure you normally follow. It sounds like  
8 people typically arrange this beforehand, but this  
9 was an emergency-type situation. So to your  
10 knowledge, Nicor -- is it customary when there is an  
11 emergency to have any -- the customer sign anything  
12 to indicate that they've authorized this work or that  
13 they're acknowledging that it is going to cost --  
14 it's a nonstandard service, they're going to have to  
15 pay?

16 THE WITNESS: This is a weird situation,  
17 really. I mean, normally, normally, people go  
18 through the proper channels to get the work done.

19 BY MR. PADRON:

20 Q Can I ask you, Tina, had you ever  
21 encountered a situation like this prior to July 30th,  
22 2014?

1           A     No.

2           JUDGE TEAGUE-KINGSLEY:   Okay.

3   BY MR. PADRON:

4           Q     Can you briefly tell us the work that had  
5   to be done in order to relocate the line and also  
6   upgrade the line to a one-inch line?

7           A     You want me to go through the procedure?

8           Q     Just briefly, what did you have to do on  
9   the 30th of July?  And then briefly what did you do  
10   on the 31st of July?

11          A     On the 30th, I had a crew dispatched out to  
12   5120 Chase and what they did is they moved the meter  
13   out and they ended up cutting the three-quarter steel  
14   service out of the way, so they dug up the service in  
15   the parkway, they cut it there and then they were  
16   able -- and ran a temporary plastic line above ground  
17   to the new meter set so the Gocimans would have gas  
18   for the night.

19          Q     All right.  And then what about the next  
20   day?

21          A     And then the next day, I sent a crew there  
22   in the morning and then what they did is we had it



1     bored in it from the other side of the street because  
2     that's where our gas main connects to -- I'm sorry,  
3     that's where their service connects to our gas main,  
4     so we went from it connects to -- where it connects  
5     to our gas main all the way up to the meter set. So  
6     we had it bored in, which is like an underground  
7     auger and then we -- then we tied it in and then they  
8     were set.

9           Q     Do you know approximately or do you know --  
10    not approximately, do you know how many hours of  
11    labor this work required of Nicor employees?

12           A     For the total two days?

13           Q     Yes.

14           A     About 12. If you consider 12 hours, you  
15    know...

16           Q     I'm going to show you what's been marked as  
17    Exhibit 6. Can you take a quick look at that. It's  
18    a group exhibit. There's four pages, I believe, five  
19    or five pages.

20                   Are you familiar with this exhibit?

21           A     Yes.

22           Q     Can you tell us briefly what it is?

1           A     Investing in Illinois Program.  It started  
2     in June and what it is it's --

3           Q     June of when?

4           A     Of 2015.

5           Q     Okay.

6           A     So what it is -- what it is, we're updating  
7     our infrastructure, so we go in and what we do is we  
8     upgrade old gas main -- what we call vintage main,  
9     cast iron main, we have a lot of it going on in our  
10    Evanston area.  And what that is is we go in and we  
11    upgrade our gas main and then we transfer all the  
12    services that are attached to that gas main and we  
13    renew them, we give them a new service.

14          Q     Is this -- is this exhibit -- do you know  
15    -- strike that.

16                    Is the exhibit made in the regular  
17    practice of Nicor to have such an advertisement, if  
18    you will, for the upgrading of main?

19          A     Yes.

20          Q     And is it -- is the exhibit kept in the  
21    regular course of conducted business activity of  
22    Nicor?

1           A     Yes.

2           MR. PADRON:   I'd seek to have it admitted into  
3 evidence.

4           MR. MIHAIL GOCIMAN:   Objection.

5           THE COURT:   What's your objection?

6           MR. MIHAIL GOCIMAN:   We are talking about 2014.  
7 This is a plan for 2015.   What has it to do with?

8           JUDGE TEAGUE-KINGSLEY:   What's your response?

9           MR. PADRON:   The -- Investing in Illinois shows  
10 in 2015 what mains are in need of -- not repair, but  
11 to be completely redone.   So any main that needs to  
12 be dug up and put back in in 2015 is the same main  
13 that's going to need to be worked on in 2014.

14          MR. MIHAIL GOCIMAN:   Objection.   Because this  
15 one -- if you look at the geography of the place they  
16 are showing here, my area is not included; but above  
17 all, we are talking about 2014.   Let's focus on 2014.  
18 What they want to do in 2020 is their business.

19          JUDGE TEAGUE-KINGSLEY:   What's your response?  
20 I am a bit concerned that this is --

21          BY MR. PADRON:

22          Q     Well, let me just ask you this, in 20 --

1 JUDGE TEAGUE-KINGSLEY: -- for 2015?

2 MR. PADRON: Fine.

3 BY MR. PADRON:

4 Q Exhibit aside, in --July 30th of 2014, was  
5 there any need for Nicor to replace the service line  
6 at the Gociman residence?

7 A No.

8 Q Was there any need for Nicor on July 30th,  
9 2014, to upgrade the service to a one-inch service  
10 line?

11 A No.

12 JUDGE TEAGUE-KINGSLEY: I'm going to sustain  
13 the objection. I'm just -- the fact that this says,  
14 Beginning in 2015, I'm not certain that it's related  
15 to the 2014 issue.

16 MR. PADRON: That's fine. She got in her  
17 testimony. That's fine. So we'll withdraw Exhibit 6  
18 and Exhibit 7.

19 JUDGE TEAGUE-KINGSLEY: Okay.

20 BY MR. PADRON:

21 Q Tina, as you sit here today, you stated  
22 that there was no need for Nicor to replace the

1 service line at the Gociman residence. Why is that?  
2 Do you know when -- when was the main at their  
3 residence installed, do you know?

4 A The main was installed in 1951, it's  
5 two-inch steel.

6 Q So --

7 A And operating at 25 pounds in our system.

8 Q So that type of main with that type of  
9 pressure, would it need to be, not repaired but --

10 A Upgraded.

11 Q -- undated?

12 JUDGE TEAGUE-KINGSLEY: Counsel, I have a  
13 question. Are these questions --

14 MR. MIHAIL GOCIMAN: What is their --

15 JUDGE TEAGUE-KINGSLEY: -- why are they  
16 relevant? Are you -- what's the point? Where are  
17 you going?

18 MR. PADRON: The point is is that Nicor had no  
19 reason to do the work that they did at the Gocimans'  
20 residence on July 30th, 2014, period.

21 MS. MAGDALENA GOCIMAN: So.

22 MR. MIHAIL GOCIMAN: So what does the pressure

1 of the main in '51 has to do with my contractor  
2 damaging it?

3 JUDGE TEAGUE-KINGSLEY: Right. So let's  
4 just -- so are you trying to --

5 MR. PADRON: I'm trying to establish that there  
6 was no need for Nicor to replace any line on  
7 July 30th.

8 JUDGE TEAGUE-KINGSLEY: Which goes to the  
9 question whether or not this was a nonstandard --

10 MR. PADRON: Which goes to the question of who  
11 was the one who wanted the work done in the first  
12 place.

13 MR. MIHAIL GOCIMAN: Who was the one that has  
14 to pay for the work? That's the question right here.

15 JUDGE TEAGUE-KINGSLEY: I think you've  
16 testified that there was no reason for Nicor to  
17 replace this.

18 MR. PADRON: Yeah, that's fine.

19 JUDGE TEAGUE-KINGSLEY: I don't know if we need  
20 a whole bunch of --

21 MR. PADRON: Okay. No problem. That's it.

22 JUDGE TEAGUE-KINGSLEY: Okay. I have a quick

1 question.

2 EXAMINATION

3 BY

4 JUDGE TEAGUE-KINGSLEY:

5 Q I was looking at this printout, I guess  
6 this is Exhibit 5, and it -- this was prepared after  
7 the visit to the property?

8 A Exhibit 5? No. This ticket is created on  
9 that -- it was created on that day before Elliott can  
10 go to that job.

11 Q So this is the dispatcher that is filling  
12 out these notes before they send --

13 A Right. If you look at the ticket, these  
14 are the comments of Mr. Gociman --

15 Q Okay.

16 A -- standing.

17 MR. MIHAIL GOCIMAN: Gociman.

18 THE WITNESS: Gociman, I'm sorry.

19 BY JUDGE TEAGUE-KINGSLEY:

20 Q Okay. I got it. I'm sorry. I don't mean  
21 to cut you off. I just wanted to know that. So this  
22 is not after --

1           A     No.

2           Q     -- this is before, okay. I just wanted to  
3 know why I had some questions related to that.

4           MR. MIHAIL GOCIMAN: Your Honor?

5           JUDGE TEAGUE-KINGSLEY: Oh, no, I'm going to  
6 let you ask a question.

7 BY JUDGE TEAGUE-KINGSLEY:

8           Q     And, I know, again, you said this is a  
9 unique situation, but there isn't any policy in place  
10 or it's not your practice if something urgent comes  
11 up like this to have some sort of verification by  
12 phone or something like that where there's some  
13 record indicating that the customer has authorized  
14 this work to be done and acknowledges payment?

15          A     I've never come across anything like that.  
16 I mean, it's -- this was a first time and like I said  
17 before, it was -- I was trying to diffuse the  
18 situation and on the same hand, trying to help them  
19 out --

20          Q     Okay.

21          A     -- to get -- so they can get their drain  
22 tile in.



1 JUDGE TEAGUE-KINGSLEY: I understand. Okay.

2 Do you have any questions? No

3 testimony. Just questions --

4 MR. MIHAIL GOCIMAN: Question.

5 JUDGE TEAGUE-KINGSLEY: -- for the witness.

6 MR. MIHAIL GOCIMAN: For exceptional situation,

7 Nicor has a procedure that goes to upper level of

8 management?

9 JUDGE TEAGUE-KINGSLEY: No, no, what's your

10 question.

11 MR. MIHAIL GOCIMAN: Why she didn't ask -- if

12 it's an exceptional situation, why didn't she ask

13 another person to determine whose fault it is and who

14 pays for the damage of Nicor line?

15 JUDGE TEAGUE-KINGSLEY: No, I think she

16 testified that -- her testimony is that she told you

17 that you have to pay for it. What is your question

18 regarding her testimony?

19 MR. MIHAIL GOCIMAN: She never --

20 JUDGE TEAGUE-KINGSLEY: Sir, Mr. Gociman, we

21 have gone over really, really long for this hearing

22 and I know that, you know, you are trying to do your

1 best, but right now, it's questions for her, not --

2 MR. MIHAIL GOCIMAN: Questions.

3 JUDGE TEAGUE-KINGSLEY: -- testimony.

4 MR. MIHAIL GOCIMAN: Why she didn't ask the

5 contractor to pay, why did she discuss with me when

6 the contractor did the damage?

7 JUDGE TEAGUE-KINGSLEY: Okay. If you want to

8 answer.

9 MR. MIHAIL GOCIMAN: She has to answer.

10 THE WITNESS: You're the homeowner.

11 JUDGE TEAGUE-KINGSLEY: Okay. That's the

12 answer. What's your next question?

13 CROSS-EXAMINATION

14 BY

15 MR. MIHAIL GOCIMAN:

16 Q Who did the damage of the pipe?

17 MR. MIHAIL GOCIMAN: She is Nicor. She has to

18 tell me.

19 JUDGE TEAGUE-KINGSLEY: She -- I don't think

20 that's relevant. What's your next question?

21 MR. MIHAIL GOCIMAN: It's very -- I mean, the

22 bottom line is this, I'm here just because of the

1 cost and it's not my --

2 JUDGE TEAGUE-KINGSLEY: Mr. Gociman,

3 Mr. Gociman, I -- it is now 1:40. We started at

4 11:00 and I know that you want to make sure the

5 record is complete with, you know, your position; but

6 right now it's cross-examination, so if you have any

7 more questions, questions for this witness, then you

8 can proceed with those questions, but we can't do any

9 of the testimony.

10 MS. MAGDALENA GOCIMAN: Can I ask a question?

11 JUDGE TEAGUE-KINGSLEY: Do you have a question?

12 MS. MAGDALENA GOCIMAN: Yes.

13 JUDGE TEAGUE-KINGSLEY: Okay.

14 MS. MAGDALENA GOCIMAN: When was written this

15 typed this report.

16 JUDGE TEAGUE-KINGSLEY: She answered that

17 question.

18 MS. MAGDALENA GOCIMAN: No, I want her to say

19 it again because I have another question.

20 JUDGE TEAGUE-KINGSLEY: No. She already

21 answered that.

22 MS. MAGDALENA GOCIMAN: If it was done, then

1     how she know then that police didn't file their  
2     report?  Because this was found out only a few months  
3     ago, the last --

4             JUDGE TEAGUE-KINGSLEY:  What sentence are you  
5     referring to, Mrs. Gociman?

6             MS. MAGDALENA GOCIMAN:  The police report, no  
7     police --

8             JUDGE TEAGUE-KINGSLEY:  No police report was  
9     filed out.  So your question is --

10            MS. MAGDALENA GOCIMAN:  How she know this back  
11    in July --

12            JUDGE TEAGUE-KINGSLEY:  July 30th, 2014 when  
13    this was prepared, there was no police report, okay.

14            THE WITNESS:  Because when I talked to Elliott,  
15    he said that they never talked to him, so there was  
16    no report.

17            MS. MAGDALENA GOCIMAN:  No.

18            THE WITNESS:  They never had a report for him.

19            MR. MIHAIL GOCIMAN:  Objection.

20            MS. MAGDALENA GOCIMAN:  Objection.

21            JUDGE TEAGUE-KINGSLEY:  Okay.  That was her  
22    answer --

1 MS. MAGDALENA GOCIMAN: No.

2 JUDGE TEAGUE-KINGSLEY: -- you asked her a  
3 question, you can challenge whether or not you  
4 believe it, but --

5 MS. MAGDALENA GOCIMAN: I have another  
6 question.

7 JUDGE TEAGUE-KINGSLEY: She's answered it.

8 MS. MAGDALENA GOCIMAN: Can you tell me how  
9 long was the delay for Edgar to finish the job?

10 JUDGE TEAGUE-KINGSLEY: What -- how is that  
11 relevant? Why are you asking that?

12 MS. MAGDALENA GOCIMAN: It's relevant because  
13 everything was done, we want in the same day.

14 JUDGE TEAGUE-KINGSLEY: Right. I think we're  
15 getting a little bit off topic because the issue here  
16 is really that you don't want to pay for this work,  
17 you don't think you should have --

18 MS. MAGDALENA GOCIMAN: No, it was not our --

19 JUDGE TEAGUE-KINGSLEY: Right. No, so I'm just  
20 trying to figure out how that question is related to  
21 the payment issue.

22 MS. MAGDALENA GOCIMAN: The question was, the

1 report it saying she did everything what she did  
2 because she wanted -- we want in the same day to have  
3 the job done.

4 JUDGE TEAGUE-KINGSLEY: Right.

5 MS. MAGDALENA GOCIMAN: My question is, the job  
6 was done in the same day?

7 JUDGE TEAGUE-KINGSLEY: By who?

8 MR. MIHAIL GOCIMAN: By Nicor.

9 JUDGE TEAGUE-KINGSLEY: Okay. Your question is  
10 not clear. That's why I'm asking.

11 MR. PADRON: She already testified --

12 JUDGE TEAGUE-KINGSLEY: Do you know the answer?

13 THE WITNESS: What's the question?

14 MS. MAGDALENA GOCIMAN: I ask, in a report or  
15 whatever, did the work, which claim -- we claim to be  
16 done on July 30 -- to be done on July 30 was done on  
17 July 30th?

18 JUDGE TEAGUE-KINGSLEY: Okay. The request --

19 MR. PADRON: I think the question -- she's  
20 already testified to what work they did on July 30th.  
21 So Sewell can install the drainage tile.

22 If Mrs. Gociman is asking whether or

1 not Sewell completed the drainage tile installation  
2 on July 30th, that's irrelevant.

3 JUDGE TEAGUE-KINGSLEY: Right. That's not  
4 really --

5 MR. MIHAIL GOCIMAN: No, Nicor didn't finish on  
6 the 30th, they finished on the 31st.

7 JUDGE TEAGUE-KINGSLEY: Okay. Did Nicor finish  
8 its work on the 30th or the 31st?

9 THE WITNESS: On the 31st.

10 JUDGE TEAGUE-KINGSLEY: Okay. What's your next  
11 question? Is that it? We have one more witness.  
12 Are you done?

13 REDIRECT EXAMINATION

14 BY

15 MR. PADRON:

16 Q I mean, just so the record is clear, Tina,  
17 you did what you needed to do on the 30th to allow  
18 the contractor that the Gocimans had hired to finish  
19 his job; correct?

20 A That's correct.

21 MR. PADRON: Okay. Thank you.

22 JUDGE TEAGUE-KINGSLEY: And your next witness?

1           MR. PADRON:   Is Kyra Mitchell.

2           JUDGE TEAGUE-KINGSLEY:   Is there going to be a  
3   witness that can -- I have questions about the  
4   contract and about tariffs that support this charge.  
5   Is there any witness that --

6           MR. PADRON:   Yeah.   Miss Mitchell will -- she's  
7   going to testify to the bill -- to the costs that  
8   were incurred by Nicor to do the work.

9           JUDGE TEAGUE-KINGSLEY:   Okay.   But do you have  
10   an exhibit -- are you going to offer an exhibit --  
11   oh, this is your tariff right here?

12          MR. PADRON:   That's the tariff.

13          JUDGE TEAGUE-KINGSLEY:   Okay.

14          MR. PADRON:   The tariff just talks about the  
15   responsibility of the customer to pay when it's the  
16   customer's request to have work done that doesn't  
17   need to be done on Nicor's --

18          JUDGE TEAGUE-KINGSLEY:   Okay.   Okay.

19          MR. PADRON:   Exhibit 8 is a group exhibit.  
20   It's the Nicor Standard Practice Operating 116 --

21          JUDGE TEAGUE-KINGSLEY:   Okay.

22          MR. PADRON:   -- which goes through all of



1     Nicor's costs.

2             JUDGE TEAGUE-KINGSLEY:   Okay.   Thank you very  
3     much.   I just wanted to make sure there would be a  
4     witness for that.

5             MR. PADRON:   Yeah.

6             JUDGE TEAGUE-KINGSLEY:   Okay.

7             MR. PADRON:   And that -- that, along with  
8     Exhibit 9 and Exhibit 10, spell out the costs that  
9     were incurred for Nicor that came up with the \$4,546.

10            JUDGE TEAGUE-KINGSLEY:   Okay.   Your next  
11    witness.

12                         KYRA MITCHELL,  
13    called as a witness herein, having been previously  
14    duly sworn, was examined and testified as follows:

15                         DIRECT EXAMINATION

16                         BY

17                         MR. PADRON:

18            Q     Can you please state and spell your name  
19    for the record?

20            A     Kyra, K-y-r-a, Mitchell, M-i-t-c-h-e-l-l.

21            Q     And, Miss Mitchell -- is it all right if I  
22    call you Kyra?

1           A     Sure.

2           Q     Kyra, are you currently employed?

3           A     Yes.

4           Q     And who are you employed with?

5           A     Nicor Gas.

6           Q     How long have you been with Nicor Gas?

7           A     11 years.

8           Q     And what's your current position with

9   Nicor?

10          A     I'm the supervisor of Customer Relations

11   and Quality Assurance.

12          Q     Okay. And briefly, generally, what are

13   some of your responsibilities and duties in that role

14   at Nicor?

15          A     I manage the Customer Relations Team which

16   handles escalated complaints and I manage another

17   team that handles monitoring calls.

18          Q     And how long have you had that position

19   with Nicor?

20          A     Three years.

21          Q     And prior to that, what was your position

22   with Nicor?

1           A     Prior to that, I was in Project Management  
2     handling various projects going on with Nicor Gas.

3           Q     Okay. I'm showing you what's been marked  
4     as Group Exhibit 8. If you could take a quick peek  
5     at that and tell us once you've looked at it, are you  
6     familiar with this exhibit?

7           A     Yes, I'm familiar with it.

8           Q     And can you briefly tell us what this is.

9           A     This is the document -- the standard  
10    practice operating document that we use when we are  
11    billing customers filling charges for our work done.

12          Q     So does this document then include the  
13    costs incurred by Nicor to work on gas lines?

14          A     Yes.

15          Q     And do you know when the report was made?

16          A     Yes.

17          Q     When was that?

18          A     November 10th, 2011.

19          Q     Okay. Is it the regular practice of Nicor  
20    to have a report like this to indicate the costs  
21    incurred for work on gas lines?

22          A     Yes.

1           Q     And is this kept in the course of regular  
2     conducted business activity at Nicor?

3           A     Yes.

4           MR. PADRON:   I'd move to have it entered into  
5     evidence.

6           JUDGE TEAGUE-KINGSLEY:   Any objection?

7           MR. MIHAIL GOCIMAN:   Yes.

8           JUDGE TEAGUE-KINGSLEY:   What's your objection?

9           MR. MIHAIL GOCIMAN:   Why was one not provided  
10    to me as a customer, as a payer?

11          JUDGE TEAGUE-KINGSLEY:   Well, this -- no, you  
12    can -- I understand you can ask them a question why  
13    this wasn't provide to you, but the question is  
14    really, do you have an objection to this being part  
15    of the record?

16          MR. MIHAIL GOCIMAN:   Yes.

17          JUDGE TEAGUE-KINGSLEY:   And then can you ask  
18    questions about it.

19          MR. MIHAIL GOCIMAN:   Yeah.   I don't want it to  
20    be part of it.

21          JUDGE TEAGUE-KINGSLEY:   Why?

22          MR. MIHAIL GOCIMAN:   Because again it's a

1 document that doesn't affect me is what I'm saying.

2 JUDGE TEAGUE-KINGSLEY: No, this is a policy.

3 This is Nicor's policy. You object?

4 MR. MIHAIL GOCIMAN: Yeah, I object to --

5 JUDGE TEAGUE-KINGSLEY: Okay. I'm going to

6 overrule your objection and I'm going to enter it,

7 but you can ask her questions like why wasn't it

8 provided to you. Okay?

9 MR. MIHAIL GOCIMAN: That's fine.

10 JUDGE TEAGUE-KINGSLEY: Okay.

11 (Whereupon, Respondent's

12 Exhibit No. 8 was

13 admitted into evidence.)

14 BY MR. PADRON:

15 Q I'm passing you what's been marked as

16 Exhibit 9. It's a one-page document.

17 Are you familiar with this exhibit?

18 A Yes.

19 Q And could you tell us briefly what it is?

20 A It's a billing statement.

21 Q And what's the billing statement? Who is

22 to -- it addressed to?

1           A     I apologize, I may mispronounce the name,  
2     is it Mihail Gociman.

3           Q     Is there an address on --

4           MR. MIHAIL GOCIMAN:   My name is Gociman.

5           THE WITNESS:   I'm sorry.

6           MR. MIHAIL GOCIMAN:   That's okay.

7           THE WITNESS:   What was the question?

8     BY MR. PADRON:

9           Q     Is there an address on there?

10          A     Yes, there is.

11          Q     And what is the address?

12          A     The address is 5120 Chase Avenue, Skokie,  
13     Illinois.

14          Q     And what's the total amount with the  
15     included taxes and everything?

16          A     \$4,546.

17          Q     Is this the amount that the Gocimans were  
18     billed for the work done in relocating and upgrading  
19     their line on July 30th, 2014?

20          A     Yes, it is.

21          Q     Can you tell me when was the bill issued?

22          A     Sure.   August 6th, 2014.

1           Q     All right.  And is it the regular practice  
2     of Nicor to issue a bill when work is done at a  
3     residence -- when work is done to a resident's gas  
4     line?

5           A     Yes.

6           Q     And is this bill kept in the course of a  
7     regularly conducted business activity?

8           A     Yes.

9           MR. PADRON:  Actually, I'd move to have it  
10    admitted, but it's actually part of the exhibits that  
11    have already been admitted with the formal complaint.

12          JUDGE TEAGUE-KINGSLEY:  Okay.  Is there any  
13    objection?  It's already been admitted as part of  
14    your exhibits.

15          MR. MIHAIL GOCIMAN:  Okay.  It's missing the  
16    second page.

17          JUDGE TEAGUE-KINGSLEY:  The second page?

18          MR. MIHAIL GOCIMAN:  Right here.

19          MR. PADRON:  That's fine.

20          JUDGE TEAGUE-KINGSLEY:  Oh, that's -- your  
21    exhibit has that second page?

22          MR. MIHAIL GOCIMAN:  Yes because they inquire

1 me --

2 JUDGE TEAGUE-KINGSLEY: Yeah, no, so that's  
3 fine. I'm going to admit it. This is the same one  
4 that's in your group of exhibits, that's been  
5 admitted and yours has that second page. Let me take  
6 a short break. One second.

7 (Recess taken.)

8 JUDGE TEAGUE-KINGSLEY: We're back on the  
9 record.

10 MR. MIHAIL GOCIMAN: The second page require me  
11 to sign.

12 JUDGE TEAGUE-KINGSLEY: I know, Mr. Gociman,  
13 but that document you're pointing to, that's already  
14 been admitted into the record. I understand you  
15 think -- you believe it's important and it's been  
16 admitted in the record, so it's there for you, okay?

17 So I'm going to admit this Exhibit 9.

18 (Whereupon, Respondent's  
19 Exhibit No. 9 was  
20 admitted into evidence.)

21 BY MR. PADRON:

22 Q And then 10, if you could take a quick look



1 at that and tell us if you're familiar with it and  
2 what it is.

3 MR. MIHAIL GOCIMAN: Never saw in my life.

4 MR. PADRON: No, not you, Mr. Gociman. The  
5 witness.

6 MR. MIHAIL GOCIMAN: I'm sorry.

7 JUDGE TEAGUE-KINGSLEY: That's okay. That's  
8 okay. He's just trying to finish with his witness.

9 BY MR. PADRON:

10 Q Could you tell us what that is?

11 A Yes. This is a document created to outline  
12 the charges for Mr. -- for the customer's account.

13 Q All right. So is it safe to say that it's  
14 essentially a breakdown of the bill that's Exhibit 9?

15 A Yes.

16 Q And can you tell me who made the report or  
17 exhibit?

18 A Exhibit 10, I made the report.

19 Q And when did you do that?

20 A The report was created --

21 Q If you don't know, that's fine.

22 A I apologize, I don't know. It was after

1 the Illinois Commerce Commission complaint was  
2 created.

3 JUDGE TEAGUE-KINGSLEY: The informal complaint?

4 THE WITNESS: Yes. I'm sorry.

5 BY MR. PADRON:

6 Q Is it the regular practice of Nicor to  
7 complete a report like this to delineate where a bill  
8 comes from in a situation like this?

9 A Yes.

10 Q And is it kept in the regular course -- the  
11 course of a regular conducted business activity at  
12 Nicor?

13 A Yes.

14 MR. PADRON: All right. I'd seek to have it  
15 admitted.

16 JUDGE TEAGUE-KINGSLEY: Any objections? It's a  
17 description of how they came up with the cost?

18 (No response.)

19 JUDGE TEAGUE-KINGSLEY: Exhibit 10 is admitted.

20 (Whereupon, Respondent's

21 Exhibit No. 10 was

22 admitted into evidence.)

1           MR. PADRON:   Thank you.

2   BY MR. PADRON:

3           Q     Can you -- as quickly as you can, Kyra,

4     could you tell us how the -- what were the costs

5     incurred to Nicor?

6           A     Sure.   There was a charge for the meter,

7     which is \$98.

8           Q     All right.   And next --

9           JUDGE TEAGUE-KINGSLEY:   Or 89?

10          THE WITNESS:   I'm sorry.   Thank you.

11          JUDGE TEAGUE-KINGSLEY:   That's okay.

12          THE WITNESS:   Yes, 89 thank you.

13   BY MR. PADRON:

14          Q     It states next to the -- it says -- the

15     first row has meter, \$89 and then it says, SPO 116,

16     Page 4.   Could you tell us what that means, the last

17     part SPO 116, Page 4?

18          A     Sure.   That refers back to Exhibit 8, the

19     standard practice that we have for Exhibit 8 --

20     Page 4 is where the actual charges are for that

21     meter.

22          JUDGE TEAGUE-KINGSLEY:   Standard practice is

1       this other document, Exhibit 8?

2               THE WITNESS:   Yes.

3               MR. PADRON:    Yep.

4       BY MR. PADRON:

5               Q       Can you go to the -- go row by row?

6               A       The next charge which 1306, is the charge

7       to have the meter around the regulator moved from

8       inside to outside.

9               Q       And, again, that's pursuant to the Standard

10      Practice Operating 116 Exhibit 8, Page 4?

11              A       Correct.

12              Q       Okay.   Next line?

13              A       The next line is the labor, how much it

14      cost us to actually do the job.

15              Q       Okay.

16              A       Which is \$1,272.24.

17              Q       And, again, it refers to the SPO 116,

18      Page 5.

19              JUDGE TEAGUE-KINGSLEY:   I don't want to cut you

20      off, but I am fine with you just saying that these,

21      you know, you have these costs and they're based

22      on --

1           MR. PADRON: All right.

2           MR. MIHAIL GOCIMAN: Why do we have to go line  
3 by line? It's not relevant.

4           MR. PADRON: That's fine. It's been admitted.

5           JUDGE TEAGUE-KINGSLEY: I agree.

6 BY MR. PADRON:

7           Q     So could you tell us the costs for  
8 everything, taxes and everything, for the work done?

9           A     The total cost came to \$4,546.

10          MR. PADRON: All right. And then the very last  
11 one, Judge --

12          JUDGE TEAGUE-KINGSLEY: You said 4,000?

13          MR. PADRON: So if you look at the bill -- if  
14 you look at Exhibit 9, they were charged \$4,319.24  
15 for the work and then if you add on the tax, that  
16 totals 4,546.

17          JUDGE TEAGUE-KINGSLEY: Is that your testimony?

18          MR. MIHAIL GOCIMAN: This is --

19          JUDGE TEAGUE-KINGSLEY: Yeah. Let's have the  
20 witness.

21          MR. PADRON: Go ahead.

22          JUDGE TEAGUE-KINGSLEY: Is that true?

1 THE WITNESS: Yes, that's correct.

2 JUDGE TEAGUE-KINGSLEY: All right. Any or  
3 questions?

4 BY MR. PADRON:

5 Q Just the last one, Exhibit 11, real quick,  
6 Kyra, could you tell us what that is?

7 A Sure. This is notations located in our  
8 billing system.

9 Q All right. And is it the regular practice  
10 of Nicor to complete a report like this when they get  
11 a call from a customer?

12 A Yes.

13 Q And is it kept in the course of regularly  
14 conducted business activity at Nicor?

15 A Yes.

16 MR. PADRON: Move to have it admitted.

17 MR. MIHAIL GOCIMAN: Objection.

18 JUDGE TEAGUE-KINGSLEY: What's your objection?

19 MR. MIHAIL GOCIMAN: It's 2008.

20 MR. PADRON: The relevance is, Judge, the  
21 Gocimans have testified under oath that they never  
22 wanted their meter moved outside. They never asked

1     Nicor to move their meter outside. This document is  
2     just proof that in 2008, they called Nicor to inquire  
3     about having their meter moved outside.

4             MR. MIHAIL GOCIMAN: Objection. It was  
5     regarding the flyer that was sent to us and you  
6     didn't accept it was the flyer.

7             JUDGE TEAGUE-KINGSLEY: Yeah, but --

8             MR. MIHAIL GOCIMAN: Yes and I was following --

9             JUDGE TEAGUE-KINGSLEY: This is -- he's just  
10    offering this document into the record to see -- for  
11    it to be part of evidence. If you have an objection  
12    to it --

13            MR. MIHAIL GOCIMAN: Yes, I do.

14            JUDGE TEAGUE-KINGSLEY: -- or you have an issue  
15    to it --

16            MR. MIHAIL GOCIMAN: Yes, I do.

17            JUDGE TEAGUE-KINGSLEY: -- you can direct a  
18    questions to this witness.

19            MR. MIHAIL GOCIMAN: My --

20            JUDGE TEAGUE-KINGSLEY: One second. Once he  
21    finishes with his questions, then you can ask him a  
22    question about it, you know, because you have some

1 issues with the actual document, you know, what it's  
2 saying. So -- you see what I'm saying? Like this is  
3 just to admit it into the record and you can ask --  
4 you can ask those questions about it, okay.

5 MS. MAGDALENA GOCIMAN: Can I ask now?

6 JUDGE TEAGUE-KINGSLEY: No. We have to finish  
7 with him and then we'll finish with you. Okay?

8 All right. So Exhibit 11 is admitted  
9 into the record. And just note your questions so  
10 you'll remember.

11 (Whereupon, Respondent's  
12 Exhibit No. 11 was  
13 admitted into evidence.)

14 BY MR. PADRON:

15 Q And can you tell us generally what does  
16 Exhibit 11 show?

17 MS. MAGDALENA GOCIMAN: The flyer --

18 JUDGE TEAGUE-KINGSLEY: No, he's asking --

19 MS. MAGDALENA GOCIMAN: I'm sorry.

20 JUDGE TEAGUE-KINGSLEY: That's okay. Let's  
21 just try to -- we have a few more minutes.

22 THE WITNESS: There was a call placed to Nicor



1 Gas requesting information on what it would take to  
2 get the meter moved from the inside to the outside.  
3 BY MR. PADRON:  
4 Q And who made the call?  
5 A I'm going to mispronounce the name.  
6 Mihail --  
7 JUDGE TEAGUE-KINGSLEY: Just say the  
8 complainant.  
9 THE WITNESS: The complainant.  
10 MR. PADRON: Nothing further.  
11 JUDGE TEAGUE-KINGSLEY: My first question is --  
12 well, first, for this tariff, is there a witness for  
13 this Exhibit 1?  
14 MR. PADRON: No. That's, again, that's another  
15 exhibit that was included with the formal complaint.  
16 That's an exhibit to the formal complaint that's  
17 already been admitted.  
18 JUDGE TEAGUE-KINGSLEY: Oh, this says -- one  
19 says Respondent, it doesn't say Complainant.  
20 MR. PADRON: Yeah, I --  
21 JUDGE TEAGUE-KINGSLEY: Oh, this is redundant to  
22 the other --

1           MR. PADRON:   Right.

2           JUDGE TEAGUE-KINGSLEY:   Do you have -- is this

3   tariff related or --

4           MR. PADRON:   The tariff.

5           JUDGE TEAGUE-KINGSLEY:   -- the basis for

6   Nicor's --

7           MR. PADRON:   If you look at the last paragraph

8   of the tariff, the last few sentences speaks to who

9   will be charged when a customer requests work on a

10   line.

11          JUDGE TEAGUE-KINGSLEY:   Oh, I got it.   I see

12   it.   Okay.   So this is already in the record.   Okay.

13                           EXAMINATION

14                           BY

15          JUDGE TEAGUE-KINGSLEY:

16          Q    My question is with this Exhibit 11, you

17   said it notes that someone called in in 2008 and so

18   the comments just say, Would like it move the meter

19   from inside to outside, but you just testified -- you

20   are testifying that they wanted to know more about

21   that?   Like it sounded like you said something more?

22          A    Yes.   So this is a request to get more

1 information. So we -- the phone call was placed to  
2 Customer Service, then Customer Service would have a  
3 service rep call the customer back to find out more  
4 information and determine if they need to make an  
5 appointment to come out.

6 Q Okay. Okay. My other question is, so the  
7 ultimate bill for all of this is 4,546? Because I  
8 know the complainant mentioned there's two things,  
9 like a 2,000-something and a 4,000, what is the  
10 actual amount that they owe for this?

11 A The total amount is \$4,546.

12 Q Okay. And the other amount, if you know,  
13 that was the amount that was offered as a compromise  
14 or a settlement?

15 A As part of a settlement, yes.

16 Q Now, I don't know if this would be -- you  
17 would be the right witness, but are you -- is this a  
18 contract or anything like that where the customer  
19 would sign authorizing this work and payment of it?

20 A Ordinarily there would be a contract that  
21 the customer would sign, but in this case, we don't  
22 have any contract.

1           Q     Why? I know it was an emergency at that  
2     time, but afterwards, why wasn't anything sent to  
3     them? If you can answer.

4           MR. PADRON: That's the second page that  
5     Mr. Gociman was speaking to.

6           JUDGE TEAGUE-KINGSLEY: That's the contract?

7           MR. PADRON: That's the contract.

8           THE WITNESS: Yes.

9           JUDGE TEAGUE-KINGSLEY: But is that signed by  
10    both parties? I thought it was just --

11          MR. PADRON: No, that was issued by Nicor.  
12    It's not signed by Mr. Gociman and that's part of the  
13    reason why we're here.

14          JUDGE TEAGUE-KINGSLEY: Right. Okay. I don't  
15    think I have any more questions.

16                    Do you -- do you have any questions  
17    Mr. Gociman or Mrs. Gociman?

18          MS. MAGDALENA GOCIMAN: Yes, a quick question.

19          JUDGE TEAGUE-KINGSLEY: No testimony, please,  
20    just question.

21          MR. MIHAIL GOCIMAN: Question.

22          MS. MAGDALENA GOCIMAN: If we place a call in

1       2008, why was the meter not moved?

2               THE WITNESS:   The follow-up to this was that  
3       the information was sent, but there was no one --  
4       there was nothing sent back to us.   So the  
5       information was sent saying if you would like to  
6       contact us in regards to this, this is the person  
7       that you would need to contact, but Ellen Gilbert  
8       (phonetic) was not contacted back.

9               MR. MIHAIL GOCIMAN:   We have a copy of the  
10       document that was sent to us, please.

11              MR. PADRON:   It's not been offered.

12              MR. MIHAIL GOCIMAN:   What is?

13              MS. MAGDALENA GOCIMAN:   We have two phone calls  
14       made after the flyer and we ask to move because you  
15       said --

16              MR. PADRON:   Are these questions to the  
17       witness?

18              JUDGE TEAGUE-KINGSLEY:   What's your question?

19              MR. MIHAIL GOCIMAN:   The question is --

20              MS. MAGDALENA GOCIMAN:   Why was not changed in  
21       2008 when -- two times we place a phone call and we  
22       schedule --

1 JUDGE TEAGUE-KINGSLEY: She answered that  
2 question. She said that --

3 MS. MAGDALENA GOCIMAN: She said she doesn't  
4 know.

5 JUDGE TEAGUE-KINGSLEY: No. She said no one  
6 reached back or responded to --

7 MS. MAGDALENA GOCIMAN: We have phone number.

8 JUDGE TEAGUE-KINGSLEY: Just questions.

9 Is that what you said?

10 THE WITNESS: Yes.

11 JUDGE TEAGUE-KINGSLEY: Just to make sure.

12 That's what she said. I know that you  
13 may not agree with her testimony --

14 MS. MAGDALENA GOCIMAN: It's okay.

15 JUDGE TEAGUE-KINGSLEY: -- But that's what is.

16 MS. MAGDALENA GOCIMAN: It's okay.

17 JUDGE TEAGUE-KINGSLEY: So do you have any  
18 more?

19 MR. MIHAIL GOCIMAN: No, we have nothing, but  
20 honest to God, your Honor, you know, just one minute  
21 of your time. Whatever was today, I have the feeling  
22 that the whole thing that was happening today was

1 more on their side. They don't have to do nothing  
2 and most important, I didn't damage the pipe. I  
3 didn't -- because the damage to the pipe generated  
4 the need to run another line --

5 JUDGE TEAGUE-KINGSLEY: Yes.

6 MR. MIHAIL GOCIMAN: -- to move the meter and  
7 everything else --

8 JUDGE TEAGUE-KINGSLEY: I understand.

9 MR. MIHAIL GOCIMAN: -- generated the whole  
10 problem was the contractor, he was insured --

11 JUDGE TEAGUE-KINGSLEY: I understand.

12 MR. MIHAIL GOCIMAN: -- nobody addressed to the  
13 contractor. Everybody came after the owner because  
14 that's the easy way.

15 JUDGE TEAGUE-KINGSLEY: Mr. Gociman, I  
16 understand that. I understand this is very  
17 frustrating and as --

18 MR. MIHAIL GOCIMAN: I'm very disappointed.

19 JUDGE TEAGUE-KINGSLEY: -- the complainant,  
20 when you made your complaint, it is your burden to  
21 prove, you know, your complaint. You've come, you've  
22 testified -- both of you have testified, you've asked

1 really good questions and the company has provided,  
2 testimony, some of it you might not agree with, but  
3 they've provided their testimony and you've -- I've  
4 entered your exhibits and I hope that you don't feel  
5 it's one-sided, it's not. I'm listening to both  
6 sides. I'll take everything under consideration, the  
7 testimony as well as the documentation and now what  
8 we'll do, we'll do closing statements and I don't  
9 want like a really long statement, but just -- I'm  
10 finished. You didn't have any --

11 MR. PADRON: No, she's done. Thanks.

12 JUDGE TEAGUE-KINGSLEY: And so what we'll do is  
13 just like a really, really brief -- really brief  
14 because we've gone way over -- summary of your  
15 position. Just very brief.

16 MR. MIHAIL GOCIMAN: As I mentioned when I  
17 stated, I (inaudible) --

18 JUDGE TEAGUE-KINGSLEY: I'm sorry. Is your mic  
19 on? I can't hear you.

20 MR. MIHAIL GOCIMAN: I said a few minutes ago,  
21 I'm dissatisfied with the way that the conversation  
22 went because Nicor never answered to the main



1 question, why the contractor who damaged the pipe,  
2 who called them, who started the argument with Nicor  
3 or Nicor started the argument with them, it's  
4 irrelevant, the police were called and everything  
5 else and all the expense that Nicor listed here,  
6 that's fine, I understand that, was not charged the  
7 one who produced the damage.

8 JUDGE TEAGUE-KINGSLEY: Mr. Gociman, I think in  
9 fairness, you did ask that question and if I recall  
10 --

11 MR. MIHAIL GOCIMAN: This is my final  
12 statement.

13 JUDGE TEAGUE-KINGSLEY: I know. But I believe  
14 one of the witnesses said because you're the  
15 homeowner, I don't know, I think that's what was  
16 said, but I understand your frustration. So in  
17 summary what you're saying is that you don't believe  
18 that you should be responsible --

19 MR. MIHAIL GOCIMAN: The contractor should be.

20 JUDGE TEAGUE-KINGSLEY: -- because the  
21 contractor --

22 MR. MIHAIL GOCIMAN: Exactly.

1 JUDGE TEAGUE-KINGSLEY: -- is the one who did  
2 this and you weren't told that there would be a cost?

3 MR. MIHAIL GOCIMAN: That's the second point I  
4 wanted to make in the closing. I'm expecting that if  
5 all -- whatever was said, paper was presented, the  
6 contract agreement, the next day, the following day;  
7 a month later they send a bill with the contract  
8 after the fact, nobody is taking the risk to order  
9 work without knowing what has to pay; even if it was  
10 verbal, I said, Do it, which I never did that one,  
11 will cost you \$5,000, never said that. Because if  
12 they were nice and I have all the tariffs and  
13 everything else, how to do it, you should provide me  
14 right away, Mr. Gociman, it will be cost you \$5,000,  
15 never did that and Nicor never answered why was not  
16 provided on the spot or due time.

17 JUDGE TEAGUE-KINGSLEY: Someone did respond to  
18 that.

19 MR. MIHAIL GOCIMAN: It was an emergency.

20 JUDGE TEAGUE-KINGSLEY: Yeah.

21 MR. MIHAIL GOCIMAN: You know what --

22 JUDGE TEAGUE-KINGSLEY: I know you don't agree

1 with it, but I get your point. You're saying that  
2 you wanted --

3 MR. MIHAIL GOCIMAN: Customers.

4 JUDGE TEAGUE-KINGSLEY: -- told beforehand, you  
5 don't believe you were told beforehand --

6 MR. MIHAIL GOCIMAN: You know what, your Honor,  
7 I'm sorry to interrupt. You want me to believe in 1  
8 million customers, I'm the only exception?

9 JUDGE TEAGUE-KINGSLEY: I understand your  
10 position. I understand what you are communicating to  
11 me.

12 MS. MAGDALENA GOCIMAN: And there is -- that's  
13 all. Miss Tina just testified here was not necessary  
14 to change the pipe and so on. So why are we charged  
15 for it?

16 JUDGE TEAGUE-KINGSLEY: Okay. Right. I  
17 understand you don't believe you should be charged  
18 and --

19 MR. MIHAIL GOCIMAN: That's all.

20 JUDGE TEAGUE-KINGSLEY: Okay.

21 MR. PADRON: This is not about the repair to  
22 the line. The contractor is not the one who asked to

1     have the line removed and the line upgraded to a  
2     one-inch line.

3                     This case is about a he-said she-said.  
4     The Gocimans are insistent that they never asked for  
5     the work to be done, that they were never told that  
6     they were going to have to pay for the work to be  
7     done. Nicor is insistent that it was their request  
8     to do the work and they were told -- the Gociman  
9     family -- that they were going to have to pay the for  
10    the work. When you have a he said she-said, there's  
11    two things you can do. The first thing is what  
12    evidence is provided around the time of the incident  
13    recorded to show or shed some light on what happened?  
14    The only thing we have is from Nicor, especially  
15    Exhibit 4, which was created by Tina the day of the  
16    incident when the memories and the actions are  
17    freshest in their mind regarding her interaction, the  
18    Gocimans requesting the work be done and being told  
19    that they were going to have to pay for it.

20                    The second thing is, is when you have  
21    a he-said she-said, you can look at the collective  
22    evidence to try and figure out what was going on.

1     Nicor had no reason to move that line. They had --  
2     they didn't need to move it and they certainly didn't  
3     need to upgrade it to a one-inch line. It doesn't  
4     make any sense that Nicor would just go out there and  
5     do this work without the request of Mr. and Mrs.  
6     Gociman.

7             JUDGE TEAGUE-KINGSLEY: Okay. Thank you all  
8     very much. Before we leave, the last thing I'd like  
9     to say is I would like a draft orders or a statement  
10    of positions and oftentimes when I do that, I only do  
11    this when it's a pro se complainant, you wouldn't do  
12    a draft order, you could just summarize your  
13    position, you know, as you've presented it today and  
14    what you'd like the Commission to do about it and I  
15    use that to prepare the order. If you'd like to do  
16    that, you're more than welcome to do that and I'd  
17    like the company to prepare a draft order.

18            MR. PADRON: Sure.

19            JUDGE TEAGUE-KINGSLEY: About what time do you  
20    think you all will be able to do that? Like how much  
21    time do you think you need?

22            MR. PADRON: 7, 14 days, something in there.

1 JUDGE TEAGUE-KINGSLEY: Okay. Let's do -- is  
2 two weeks or -- is that enough time?

3 MR. MIHAIL GOCIMAN: Make it about three weeks.  
4 I'm not a professional. I am not a lawyer.

5 JUDGE TEAGUE-KINGSLEY: Yeah, no, that's fine.  
6 And I want to make clear that I'm not looking for  
7 anything like, you know, a legal brief or anything  
8 like that. If you could just -- on a sheet of paper  
9 just, you know, summarize --

10 MR. MIHAIL GOCIMAN: We'll do.

11 JUDGE TEAGUE-KINGSLEY: -- what your position  
12 is, what you'd like the Commission to do about it and  
13 then fax -- if you find you don't really want to do  
14 that, then don't, you know, I'm not going to require  
15 you to do that; I'd like the company to --

16 MR. MIHAIL GOCIMAN: We'll do it.

17 JUDGE TEAGUE-KINGSLEY: You'll do it? Okay.

18 MR. MIHAIL GOCIMAN: If it's earlier.

19 JUDGE TEAGUE-KINGSLEY: Yeah, let's do it three  
20 weeks. Yeah, I'll you an opportunity to summarize  
21 it.

22 MS. MAGDALENA GOCIMAN: What do --

1 JUDGE TEAGUE-KINGSLEY: What you would do --  
2 what's three weeks first off?  
3 MR. PADRON: The 28th.  
4 JUDGE TEAGUE-KINGSLEY: September?  
5 MR. PADRON: 28th. Let me see what day of the  
6 week that is.  
7 MS. MAGDALENA GOCIMAN: September 28th is  
8 Monday.  
9 MR. PADRON: She's right.  
10 JUDGE TEAGUE-KINGSLEY: Okay. So on  
11 September 28th, I'd like you to file that and what  
12 you would do, you'd file it just like you did the  
13 complaint, you know how you filed it --  
14 MR. PADRON: No, I'm sorry.  
15 MR. MIHAIL GOCIMAN: What are we talking about?  
16 September, you see the problem we have here with the  
17 dates, it's October.  
18 JUDGE TEAGUE-KINGSLEY: Okay.  
19 MR. MIHAIL GOCIMAN: We are September 17th.  
20 JUDGE TEAGUE-KINGSLEY: I got confused, too.  
21 So October --  
22 MR. MIHAIL GOCIMAN: I'm watching the papers.

1 JUDGE TEAGUE-KINGSLEY: You're quick.  
2 October --  
3 MR. PADRON: 8th.  
4 JUDGE TEAGUE-KINGSLEY: So October 8th. Thank  
5 you so much.  
6 MR. MIHAIL GOCIMAN: That's okay.  
7 JUDGE TEAGUE-KINGSLEY: 2015, you'll file it  
8 and we can go off the record. I'm going to mark the  
9 record heard and taken.  
10 (Heard and taken.)  
11  
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